

An Historical

# ACCOUNT

Of Making the

575. R. 2

3

# PENAL LAWS

By the

PAPISTS against the PROTESTANTS,

And by the

PROTESTANTS against the PAPISTS

By Command of the Right Hon.

the Lord of the Treasury

in the Year 1687

The true Ground and Reason of Making the  
Laws given, the PAPISTS most Barbarous Usage  
of the PROTESTANTS here in England, under a  
Colour of Law, set forth; and the Reformation Vindi-  
cated from the Imputation of being Cruel and Bloody,  
unjustly cast upon it by those of the Romish Communion.

By Samuel Blackerby, Barrister of Great-Linn.

*Summe est ratio, que pro Religione facit, Co. 5. 14. b.*

L O N D O N,

Printed by William Churchill at the Black-Lyon in St. Dun-  
stons Church, and John Wold at the Crown between the  
Gate in Fleet-Street, MDCLXXXIX.



ACCOUNT

PENAL LAWS

Licensed,

The 10th. of  
May, 1689.

By Command of the Right Ho-  
norable the Earl of Shrewsbury,  
Principal Secretary of State.

J. A. VERNON.

By Samuel Blackley, Printer of Gray-Inn.

Printed at the Black-Inn in St. Pauls Church.

Printed for William Chiswell at the Black-Inn in St. Pauls Church.  
Tins, and John Wells at the Green between the Temple.  
Gates in Fleet-Street, MDCLXXXIX.



---

To the Right Honorable

**C H A R L E S**

EARL of

**MONMOUTH,**

VISCOUNT MORDANT

O F

**A V I L A N D,**

BARON of

**R I G A T E,**

ONE of their MAJESTIES most Honorable

**PRIVY-COUNCIL,**

And the FIRST of the

**LORDS COMMISSIONERS**

Of their MAJESTIES

**TREASURY, &c.**

*This Historical Account of making these Penal  
Laws, is most humbly Dedicated by the Author,*

*His Lordships,*

*Most Humble,*

*and most Obedient Servant.*



To the Right Honourable

CHARLES

of

MONMOUTH

VISCOUNT MORDANT

to

AVILLAND

of

RIGATE

ONE OF HIS MAJESTIES MOST HONOURABLE

PRIVY COUNCIL

And the FIRST of the

LORDS COMMISSIONERS

OF HIS MAJESTIES

TREASURY, &c

This Historical Account of making the Great  
Laws, is most humbly Dedicated by the Author,

His Majesty;

Most Humble

and most Obedient Servant.



A N

## HISTORICAL ACCOUNT

Of making the

## Penal Laws,

By the Papists against the Protestants, and by  
the Protestants against the Papists.

## C H A P. I.

**B**Y the Common Law of England the punishment of Heresie was burning the Heretick, by vertue of the Writ *de Heretico comburendo*; <sup>1</sup> which was first to issue. What was accounted Heresie before the time of Ed. the 3<sup>d</sup>, I shall not enquire. That the Church of Rome hath always termed those Hereticks, who have opposed her Innovations and Corruptions, can't be denyed, and is sufficient to my purpose. The first of these that appeared in England, was John Wickliffe, in the latter end of the Reign of King Ed. the 3<sup>d</sup>, in the year 1371. And therefore there was no occasion for putting the Law in Execution till his time; but upon his appearance, he Preaching and Teaching several Doctrines that tended to a Reformation; the Romish Clergy (fond of their Diana) presently endeavours to silence him, which they had done, had not the favour of some great men at that time stopt their proceedings against him; so that, (notwithstanding their Rage and Malice against him) he at last dyed in his Bed: But such an Implacable Hatred they bore to his Memory, because he had begun to dispel those Clouds of Darkness and Ignorance, with which this Church of England was then overspread, that they Procured a Decree of the Synod of Constance, for the taking up his Body and Bones to be burnt one and forty years after he was buried, for being an obstinate Heretick: In obedience to which Decree, the Popish Clergy in the time of King Richard the 2<sup>d</sup>, took up his Bones out of his Grave, and burnt them, and cast the Ashes into a River. Such Enemies were they then to Christ's Religion, that they would not suffer the Ashes of this great Luminary to rest, lest (as they were superstitious enough to think) they should again revive, to make a further discovery of their Works of Darkness.

In this King's Reign execution by Fire was first put in practice within this Realm, for opposing the Superstition and Idolatry of the Church of Rome. Before this time there being no Statute to punish the Oppugners of the Romish Innovations, and Corruptions in matters of Doctrine and Worship. The Clergy of the Romish Church, made use of the weakness of R. 2. and prevailed with him to consent to the owning a supposititious Law, of their own contriving and drawing up, without the consent of the Commons, That Commissions should be by the Lord Chancellor made, and directed to Sheriffs and others, to arrest such as should be certified into the Chancery by the Bishops and Prelates, to be Preachers of Heresie and notorious Errors, their Fanciers, Maintainers, and Abettors, and to hold them in strong Prison, until they would justify themselves to the Law of Holy Church. Which Act of Parliament was the first that was made against them that preached against the Church of Rome, under the Notion of their being Hereticks, who

<sup>1</sup> Mirror of Ju.  
stices. f. 152.  
<sup>2</sup> Fitz. Natur.  
Brev. f. 269.

<sup>3</sup> Ex actis Con-  
silio Constan.

<sup>4</sup> Trussel's Con-  
tinuation of  
Daniel's His-  
tory of England.  
fol. 49.

Co. Inst. 3. p.  
fol. 40, 41.



who were then called *Wicklives*. The Act it self I have here inserted, as it is Printed in *Rastal's Statutes*.

5 R. 2. Ca. 5.  
Rast. Stat. f.  
140.  
The Wickli-  
vites to be im-  
prisoned.

Forasmuch as it is openly known, that there be divers evil persons within the Realm, going from County, to County, and from Town, to Town, in certain habit, under simulation of great holyness, and without the Decree of the Ordinaries of the places, or other licent Authority, Preaching daily, not only in Churches, and Church-yards; but also in Markets, Fairs, and other open places, where a great Congregation of people is, divers Sermons containing Heresies, and notorious Errors, to the great embleamishing of the Christian faith, and destruction of the Laws, and of the estate of Holy Church, to the great peril of the souls of the people, and of all the Realm of England, as more plainly is found, and sufficiently proved, before the Reverend Father in God the Arch-Bishop of Canterbury, and the Bishops and other Prelates, Masters of Divinity, and Doctors of canon and of civil Law, and a great part of the Clergy of the said Realm, especially assembled for this cause: which persons do also preach divers matters of scandal, to engender discord and dissention, betwixt divers Estates of the said Realm, as well Spiritual as Temporal, in exciting of the people to the great peril of all the Realm: which Preachers cited or summoned before the Ordinaries of the places, there to answer of that whereof they be impeached, will not obey to their summonings and commandments, but care not for their admonitions nor Censures of the Holy Church, but expressly despise them: and moreover, by their subtil and ingenious words, do draw the people to hear their Sermons, and do maintain them in their Errors, by strong hand and by great Routs: It is ordained and assented in this present Parliament, that the King's Commissions be made, and directed to the Sheriffs, and other Ministers of our Sovereign Lord the King, or other sufficient persons Learned, and according to the Certifications of the Prelates thereof, to be made in the Chancery from time to time, to arrest all such Preachers, and also their fautors, Maintainers and Abettors, and to hold them in Arrest and strong Prison, till they will justify them according to the Law and Reason of Holy Church, and the King will and commandment, That the Chancellor make such Commissions at all times, that be by the Prelates or any of them, shall be certified and thereof required as he shall see cause.

Co. Inf. 3d.  
fol. 40.

By this Act it appears, that there were then several persons, who would not submit themselves to the *Romish Bishops and Prelates*, and the Histories of those times acquaint us, that they were the Professors of the true Religion, afterwards called *Protestants*. By Colour of this supposed Act, certain persons that held that Images were not to be worshipped, and such like Doctrines (which the *Protestants* now hold) were detained, and tormented in Prison, till they were compelled before the *Masters of Divinity* (as they called themselves) to take an Oath, and did swear to worship Images, which was against the Moral and Eternal Law of Almighty God. This, these *Papish Bishops and Prelates* did, by virtue of this Law; which indeed was none, for it was only signed by the King at the instance of the *Bishops and Prelates*, and never assented to by the Commons; and therefore in the next Parliament, the Commons preferred a Bill, reciting the said supposed Act, and constantly affirmed, that they never assented thereto, and therefore desired, that the same might be made void, for they protested that it was never their intent to be justified, and to bind themselves and their Successors to the *Prelates* more than their Ancestors had done in times past, where the King gave his Royal Assent, in these words, *I please my Roy*. But in the Proclamation of the Acts of that Parliament, which was 6 R. 2. the said Act of 5 R. 2. whereby the said supposed Act of 5 R. 2. was declared to be void, is omitted; and afterwards, the said supposed Act of 5 R. 2. was continually printed, and looked on as a Good Law, and the said Act of 6 R. 2. was by the *Prelates* from time to time kept from the Print. Such pious Frauds have been always practised by the *Papish Clergy*, and always found necessary for the supporting of the credit of that Church.

Co. 12. 58.  
and 3. Inf. f.  
41.

## CHAP. II.

Hen. IV.

The Rage of the *Papish Clergy* against the *Wicklives*, or Professors of the true Religion, increasing with the increase of the light of the Gospel, and they fearing that the said contrivance might be detected, to the end that they might be yet more able effectually (if it were possible) to suppress the truth; when they had



and required *H. 4.* for granting them that supposed Law, with deposing him, and setting *H. 4.* to usurp the Crown; they in the *2d. H. 4.* apply themselves to him for a further Law, for the preservation of the Catholick Faith (as they called it) against Christ's true Religion, (by them miscalled *Heretic*) and he in gratitude to them, in assisting him in his coming to the Crown, granted them a Law to their *Henric's content*, which follows, as it is printed in *Rastall's Statutes*, in these words:

It is shewed to our Sovereign Lord the King, on the behalf of the Prelates and Clergy of this Realm of England, in this present Parliament, that although the Catholick Faith built upon Christ, and by his Apostles, and the holy Church, sufficiently known, declared, and approved, hath been hitherto, by good, and holy, and most noble Progenitors of our Sovereign Lord the King, in the said Realm, amongst all the Nations of the World, most devoutly observed; and the Church of England, by her most noble Progenitors, and Ancestors, to the honour of God, and of the said Realm aforesaid, laudably endowed, and in her Rights and Liberties sustained, without that, that the said Faith, or the said Church was hurt, or grievously oppressed, or persecuted by any perverse Doctrine, or illiked, Heretical, or Erronious Opinions: Yet nevertheless, divers false and perverse people, of a certain new Sect, at the fall of the Sacraments of the Church, and the Authority of the same, damnablely teaching, and against the Law of God and of the Church, usurping the Office of Preaching, by perverting and maliciously, in divers places within the said Realm, under the colour of assemblies holiness, preach and teach these days openly and privily, diverse new Doctrines, and wicked, Heretical and erronious Opinions, contrary to the true Faith, and blessed determinations of the holy Church. And of such Sect, and wicked Doctrines and Opinions, they make unlawful Conventicles and Confederacies, they hold and exercise Schools, they make and write Books, they do wickedly instruct and inform people, and as much as they may, excite and stir them to Sedition and Rebellion, and maketh great strife and division among the people, and other Enormities tending to be heard, daily do perpetrate and commit, in subversion of the said Catholick Faith, and Doctrine of the holy Church, in diminution of God's honour, and also in diminution of the Estates, Rights, and Liberties of the said Church of England, by such Sect, and wicked and false Teachings, Doctrines, and Opinions of the said false and perverse people; not only most greatest peril of the Souls, but also many other pains, hardships, and perils, which God prohibeth might come to this Realm, unless it be more plentifully and speedily holpen, by the King's Majesty in this behalf, namely: whereas the Bishops of the said Realm, cannot by their Jurisdiction spiritual, without aid of the said Royal Majesty, sufficiently correct the said false and perverse people, nor restrain their malice, because the said false and perverse people, do go from Diocese to Diocese, and will not appear before the said Bishops, but the said Bishops, and their Jurisdiction spiritual, and the Keys of the Church, with the Concord of the same, do utterly condemn and despise, and so their wicked Teachings, and Doctrines, both from day to day, continue and exercise, to the hatred of God and Men, and never destruction of Order and good Rule. Upon which Premises and Considerations aforesaid, the Prelates and Clergy aforesaid, and also the Commons of the said Realm, being in the said Parliament, praying our Sovereign Lord the King, that his Royal Highness would purchase in the said Parliament, to provide a convenient Remedy: The same our Sovereign Lord the King, graciously considering the premises, and also the laudable steps of his said most noble Progenitors, and Ancestors, for the conservation of the said Catholick Faith, and sustentation of God's honour, and also the safeguard of the Estates, Rights, and Liberties of the said Church of England, to the laud of God, and merit of our said Sovereign Lord the King, and prosperity and honour of all the said Realm, and for the eschewing of such divisions, dissensions, hurts, scandals and perils in time to come; and that the said Sect, preachings, doctrines and Opinions, should from henceforth cease and be utterly destroyed, by the assent of the States and other discreet men of the Realm, being in the said Parliament; hath Granted, Established, and Ordained from henceforth, and firmly to be observed, That none within the said Realm, or any other Dominions subject to his Royal Majesty, presume to preach openly or privily, without the Licence, of the Bishop of the same place, first required, and obtained, Curates in Christian Churches, and persons hitherto privileged, and other of the Canon Law granted, only except. Nor that none from henceforth any thing preach, hold, teach or instruct, openly or privily, or make, or write any Book, contrary to the Catholick Faith, or determination of the holy Church, nor of such Sect and wicked Doctrines, and Opinions, shall make any Conventicles, or in any wise hold or exercise Schools, and so that none from henceforth, in any wise, labour such preacher, or maker of any such, and like Conventicles, or holding or exercising of Schools, or making or writing such Books, or so teaching, informing, or exciting the people, nor any of them maintain, or any wise sustain, and that all and singular having such Books or any Writings,

2 H. 4. ca. 15.  
Rast. Stat. f.  
180.

By this Law the  
Professors of the  
true Religion:  
were to be burnt  
as Hereticks.



Hen. IV.

Writings of such wicked doctrines and opinions, shall really with effect, deliver of  
 cause to be, deliverd, all such Books and Writings, to the Diocesan of the  
 same place, within forty days from the time of the Proclamation of this Or-  
 dinance and Statute: And if any person or persons, of whatsoever kind,  
 estate, or condition, that he or they be, from henceforth, do attempt against  
 the Royal Ordinance and Statute aforesaid, in the premises, or in any of them, or such  
 books, in the forme aforesaid, do not deliver, then the Diocesan of the same place, or such  
 Diocesan, such person or persons in this behalf defamed, or evidently suspected, in his  
 every of them, may by the Authority of the said Ordinance and Statute, cause to be  
 arrested, and under safe custody in his prisons to be detained, till he or they, of the Arti-  
 cles laid to him or them, in this behalf, do canonically purge him or themselves, or  
 the said wicked Sent, Doctrines, Teachings, and heretical, and Erroneous Opinions,  
 do abjure, according as the Laws of the Church do require, so that the said Diocesan  
 by himself, or his Commissaries, do openly and judiciously proceed against such persons,  
 so arrested, and remaining under his safe Custody to all effect of the Law, and deter-  
 mine that same business, according to the Canonical Decrees, within three months af-  
 ter the said arrest, any lawful impediment, ceasing. And if any person, in any case  
 afove expressed, be before the Diocesan of the place, or his Commissaries, Canonically  
 comb'd, then the same Diocesan may do to be kept in his prison, the said person, so con-  
 sidering the manner of his default, and after the quality of the offence, according and  
 as long as to his discretion shall seem expedient, and moreover to put the same person  
 to the secular Court (except in cases, where he according to the Canonical Decree  
 ought to be left,) to pay to our Sovereign Lord the King his peculiar fine, accord-  
 ing as the same fine shall seem competent to the Diocesan, for the manner and quality  
 of the offence, in which case the same Diocesan shall be bound to certify the King  
 of the same fine in his Exchequer by his Letters Patents, sealed with his Seal, to the  
 effect, that such fine by the King's Authority may be required, and redress to his use,  
 of the goods of the same person to comb'd. And if any person within the said Realm  
 and Dominion, upon the said wicked teachings, doctrines, opinions, schools and he-  
 retical and erroneous informations, or any of them, be before the Diocesan of the same  
 place, or his Commissaries, sententially comb'd, and the same wicked Sent, teachings,  
 doctrines and opinions, schools, and informations, do refuse duly to abjure: Or by  
 the Diocesan of the same place, or his Commissaries, after the abjuration made by the  
 same person pronounced, fall into relaps, so that according to the holy Canons, he ought  
 to be left to the secular Court, whereupon evidence shall be given to the Diocesan of  
 the same place, or to his Commissaries in this behalf, then the Sheriff of the County  
 of the same place, and Mayor and Sheriffs, or Sheriff, or Mayor and Bailiffs, of the  
 said County, shall be personally present in preferring of such sentences, when  
 they by the same Diocesan, or his Commissaries, shall be required, and they the same  
 persons, and every of them, after such sentence promulgate, shall receive, and then  
 before the people, in a high place do to be burnt, that such punishment may strike in  
 fear to the minds of other, whereby no such wicked Doctrine, and heretical and Errone-  
 ous Opinions, nor their Authors, and fauours in the said Realm and Dominions  
 against the Catholick Faith, Christian Law and Determination of the holy Church,  
 which God prohibit, be sustained, or in any wise suffered, in which all and singular the  
 premises, concerning the said Ordinance and Statute, the Sheriffs, Mayors, and  
 Bailiffs, of the said Counties, Cities, Burroughs and Towns, shall be attending,  
 aiding and supporting, to the said Diocesans and their Commissaries.

From the Preamble of which Act of Parliament, and the Act itself, I observe  
 three things. 1<sup>st</sup>. That it being soon after the death of Wickliffe, the persons there  
 mentioned to have had a new Faith, about the Sacraments of the Church, and  
 the Authority of the same; and that Preached without authority, that gathered  
 conventicles, taught Schools, and wrote Books against the Catholick Faith, with  
 many other heinous aggravations, had been the followers of Wickliffe, and were  
 then of John Huss, and Jerome of Prague, and the rest of the Reformers from Po-  
 pery, and were carrying on that Blessed Work, as fast as they could. 2<sup>dy</sup>. That  
 the end and Design of this Law, was, That that Sect (as the Act calls them) their  
 Teachings, Doctrines, and Opinions, should from thenceforth Cease, and be utter-  
 ly destroyed. And 3<sup>dy</sup>. That in order thereunto by this Statute: The Sheriffs  
 or other Officers, were immediately to proceed, to the burning of Heretics (i. e.)  
 Protestants, without any Writ or Warrant from the King; without which Writ  
 (as I observed before,) they could not proceed to burn any Person; and accordingly  
 they proceed in burning the Professors of the true Religion, all the Reign of  
 King H. the 4<sup>th</sup>.



CHAP. III.

**I**N the beginning of the Reign of King Henry the 5th, (by reason of a pretended Conspiracy) a more severe Act was made against the Professors of the true Religion, whom they then called Lollards, by which Act all Officers of State, Judges, Justices of the Peace, Mayors, Sheriffs, and Bailiffs, were to be sworn when they took their Employments, to use their whole Power and Diligence, to destroy all Heresie and Errors, called Lollardies, and to assist the Ordinaries and their Commissaries in their Proceedings against them, and that the Lollards should forfeit all the Lands they held in Fee simple, and their Goods and Chattels to the King. Which Act, that the Papists may not have the least colour to contradict what I say, I have here inserted, as it is Printed in *Rassal*, in these words.

By this Law, the Lollards, or Professors of the true Religion, forfeit real and personal Estate to the King.

Forasmuch as great Rumours, Congregations, and Insurrections, here in the Realm of England, by divers of the King's Leige People, as well by them which were of the Sect of heresie, commonly called Lollardy, as by others of their Confederacy, Excitation and Abetment, now of late, were made to the intent, to adnuil, destroy, and subvert the Christian Faith, and the Law of God and Holy Church, within this same Realm of England, and also to destroy the same, our Sovereign Lord the King, and all other manner of Estates of the same Realm of England, as well Spiritual as Temporal, and also all manner of Polity, and finally the Laws of the Land, the same our Sovereign Lord the King, to the honour of God, and in conservation and fortification of the Christian Faith, and also in salvation of his Royal Estate, and of the Estate of all his Realm, willing, against the Malice of such Hereticks and Lollards, to provide a more open remedy and punishment, then hath been had and used in the case heretofore, so that to have of the same Laws and Punishments, such Heresies and Lollardries may be utterly root out in time to come, by the advice and assent aforesaid, and at the prayer of the said Commons, hath Ordained and Established: That first, the Chancellor, Treasurer, Justices of the one Bench and of the other, Justices of the Peace, Sheriffs, Mayors, and Bailiffs of Cities and Towns, and all other Officers, having governance of People, who now be, or hereafter for the time shall be, shall make an Oath in taking of their Charges and Occupations, to put their whole power and diligence, to put out and do to be put out, and destroy all manner of Heresies and Errors, commonly called Lollardries, within the places where they exercise their offices and occupations, from time to time, with all their power, and that they assist the Ordinaries and their Commissaries, and their Clerks and maintain, as often as they or any of them, to that shall be required by the said Ordinaries or their Commissaries, so that when the said Officers and Ministers shall come to arrest any Lollard, or to make assistance at the instance and request of the said Ordinaries or their Commissaries by vertue of this Statute, that the said Officers and Commissaries shall pay for their costs reasonably, and that the said Officers, in the which the same Officers be first sworn, be preferred before all other Ministers for the Liberty of Holy Church, and the Ministers of the same, and before all other Ministers for the Correction and Punishment of the Hereticks and Lollards, before this Statute shall be repealed, being in their force; and also, that all Persons convicted of Heresie, or of any other crime, shall be by the said Ordinaries or other Ministers, left to the Secular Power according to the Laws of Holy Church, shall forfeit all their Lands and Tenements, which they have in fee simple, in the which they holdeth, that is to say, that the King have all the Lands and Tenements, which the said Convicts have in fee simple, and holden of him immediately as forfeit, and the other Lands of whom the Lands and Tenements of such Convicts be holden immediately after that the King is so seized & answered of the year, the day, & the waste, have them out of the King's hands, of the Lands & Tenements aforesaid of them so holden, as may be used in the Case of Attainder of Felony: Except the Lands and Tenements, which be holden of the Ordinaries or their Commissaries, before whom any such persons indicted of Heresie be convicted, which Lands and Tenements intirely shall remain to the King as forfeit, and moreover that all the Goods and Chattels of these persons so convicted, be left to our Sovereign Lord the King. So that no person convicted of Heresie, and left to the Secular power after the Laws of Holy Church, shall forfeit his Lands before that he be dead, and if any such person so convicted be interred, be it by Fine, by Deed, or without Deed, in Lands or Tenements, Rents or Services, in Fee or otherwise, or hath any other possessions or Chattels by gift or grant of any person or persons, or by any other means, then to the use of such convicted, that the same Lands or Tenements, Rents or Services, nor such other possessions nor Chattels, shall be forfeit to our Sovereign Lord the King in no wise, and moreover that the Justices of the one Bench, and Justices of Peace, and Justices of Assize, have full power to enquire

2 H. 5. 7. Rast. Stat. 1. pt. foli 205.

The Magistrates are to take an Oath to suppress the Professors of the true Religion, then called Lollard.

The Oath:



## An Historical Account of making the Penal Laws

Hen. V.

quire of all them who hold any Errors or Heresies, as Lollards, and which be their Masters, Teachers, Receivers, Favourers and Sustainers, common Writers of such Books, as well of their Sermons as of their Schools, Condemners, Congregations, and Confederacies, and that this clause be put in Commissions of Justices of the Peace: And if any persons be indicted of any points aforesaid, the said Justices shall have power to award against them a Capias, and the Sheriffs shall be bound to arrest the person or persons so indicted, as soon as he may therein find by him or by his Officers; and toasmuch as the cognizance of Heresies, Errors and Lollardies, belongeth to the Judges of Holy Church, and not to Secular Judges, such persons indicted, shall be delivered to the Ordinaries of the place, or to their Commissaries, by Indentures betwixt them to be made, within ten days after their arrest, or sooner if it may be, thereof to be acquit or condempned by the Laws of Holy Church, in case these persons be not indicted of another thing whereof the cognizance belongeth to the secular Judges and Officers, in which case after that they be acquit or delivered before the secular Judges of such things to the secular Judges belonging, they shall be sent in safeguard to the said Ordinaries or to their Commissaries, and to them delivered by Indentures, as before, to be acquit or condempned of such Lollardies, Errors or Heresies, as is aforesaid, after the Laws of Holy Church; and that within the term aforesaid, provided alwaies that the said Indictments be not taken in Exchequer but for Information before the spiritual Judges against such persons so indicted, but that the Ordinaries commence their Process against such persons indicted in the same manner, as if no Indictment were, having no regard to such Indictments. And if any be indicted of Heresies, Errors, or Lollardry, and taken by the Sheriff or other Officer, he shall be let to mainprize within the said ten days by good Surety, to whom the said Sheriff, or other Officers will answer, so that the said person or persons, which were so indicted, be ready to be delivered to the said Ordinaries or to their Commissaries, before the end of the said ten days, if he may by any means for himself, and every Ordinary shall have sufficient Commissaries or Commissary, dwelling in every County, in a place notable, so that if any such person so indicted be taken, that the said Commissaries or Commissary, may be warned in the notable place where he dwelleth, by the Sheriff or other Officers, to come to the King's Jail in the same County, there to receive the same person so indicted by Indentures as before: And that in the inquest in this case to be taken, the Sheriff and other officers to whom it belongeth, shall do to be Impannelled good and sufficient persons not suborned nor purchased, that is to say, that every of them which shall be so Impanelled in such Inquest, have within the Realm of England an hundred shillings of Lands, Tenements, or of Rent by the year, upon pain to lose to the King's use, and they which shall be Impanelled in such Inquests in Wales, every of them shall have to the value of 40s. by the year, and if any such person be arrested, he shall be the Prisoner of the King's Officers or Ministers, and escape or break the prison, before that he be acquit before the Ordinary, the Goods and Chattels which he hath the day of such arrest, shall be forfeit to the King, and his Lands and Tenements which he hath the same day seized also in the King's hands, the King shall have the profits thereof from the same day until he be yielded to the person from which he escaped, and that the aforesaid Justices have full power to enquire of all such escapes, breaking of Prison, and also of Lands and Tenements, Goods and Chattels of such persons so indicted, provided also that if any such person indicted, do not return to the said person, and which not coming, it shall be lawful to the Justices to enter into the Lands and Tenements of their Ancestors, without any other process making to the King by this writ, and that all they which have Liberties and franchises Royal in England, as in the County of Chester, the County and Liberty of Durham, and other like, and also the Towns which have Jurisdiction and franchises Royal in Wales, where the King's Officers do not dwell, have power to execute and put in due execution these Articles in all points, by them or by their Officers, in like manner as the Justices and the King's Officers have declared should be.

By which Act it plainly appears, that the Professors of the true Religion, were not only to suffer in their own persons by being most inhumanly burnt, but their very Wives and Children must feel the effects of Popish Cruelty, having nothing left by this Law, whereby to support their Families.

### C H A P. IV.

Hen. VIII.

THE three Laws in the precedent Chapters mentioned, were put in Revolt Execution, during the Reign of R. 2. H. 5. H. 6. E. 1. R. 3. H. 7. and to the twenty fifth year of Henry the 8th. during which time the Pope of Babylon made his Will known, with the blood of the Saints, not only killing them in prison, but burning their persons, and ruining their whole Families, in which time divers were

Martyred



7  
Hen. VIII

Hen. VIII.

25 H.8. ca. 14.  
Raft. Stat. fo.  
537.  
By this Law Pro-  
testants were to  
abjure or be  
burnt.

Co. Inf. 2.  
658.  
Hulft. 3. 51.

31 H. 8. ca. 14.  
Raft. Stat. fol.  
652.  
By this Law Pro-  
testants are  
made Traytors,  
Felons, and guilt-  
ty of a premu-  
nure.

By this Law Pro-  
testants are  
made Traytors,  
Felons, and guilt-  
ty of a premu-  
nure.

By this Law Pro-  
testants are  
made Traytors,  
Felons, and guilt-  
ty of a premu-  
nure.

By this Law Pro-  
testants are  
made Traytors,  
Felons, and guilt-  
ty of a premu-  
nure.

By this Law Pro-  
testants are  
made Traytors,  
Felons, and guilt-  
ty of a premu-  
nure.

IV. 13



Hen. VIII.

and suffer and forfeit as a Felon, without Benefit of Clergy. By which Act it plainly appears, that the denying of Transubstantiation, was by this Law made High Treason.

The publishing or holding the necessity of Receiving in both kinds, the lawfulness of Priests Matrying, the unlawfulness of vowing Chastity, of private Masses, and Auricular Confession, was no less than Felony, or at least a *Premunire*; So that in a word, to be a Protestant, was to be a Traytor, a Felon, or subject to a *Premunire*: And could they have found any punishment inflicted by our Laws, that is worse, they would (no doubt) have made the Protestants subject to it, and that, not as Offenders against the Polity of the Civil State, but purely upon the Account of their Religion.

And therefore, the next thing that is done by these destroyers of Souls as well as Bodies, is to take away all means of Knowledge (as well as to inhibit the Promulgation thereof,) upon such severe Penalties; and for that purpose was the Act of 34 H. 8. ca. 1. made: Whereby,

34 H. 8. ca. 1.  
Rast. Stat. p.  
782. The means  
of Knowledge in  
Religion, taken  
away by this Act  
from the Pro-  
testants.

All Books of the Old and New Testament in English, being of Tindal's Translation, or containing any matter of Christian Religion, Articles of the Faith or holy Scriptures, contrary to the Doctrine aforesaid, (i. e. the Doctrine of Popery) and set forth after the year 1540, or then to be set forth by the King were utterly abolished; no Printer or Bookseller was to utter any of the aforesaid Books, no person was to play in entertain; sing or rhyme, contrary to the said Doctrine; no person was to retain any English Books, or Writings, concerning matter against the Holy and Blessed Sacrament of the Altar, (i. e. the Mass) or other Books, abolished by the King's Proclamation, there was to be no annotations, or preambles in Bibles, or New Testaments in English: The Bible was not to be read in English in any Church, no Schoolmen, or Artificers, Journeymen, Servingmen, of the degrees of Women, or under Husbandmen, nor Labourers, should read the new Testament in English: Nothing was to be taught or maintained, contrary to the King's Instructions, (which were for the suppressing of Heresy or Protestantism) and if any Spiritual person should preach, teach, or maintain anything contrary to the King's Instructions, or Determinations made, or to be made, and should be thereof Convicted, he should for his first Offence recant, for the second abjure, and bear a fagot, and for his third should be adjudged an Heretick, and be burnt, and lose all his Goods and Chattels.

Dr. Burnet.  
p. 782.

And whoever will take the pains to read over the History of the Reformation, together with the Book of Martyrs, (of which Book Dr. Burnet, in his Preface to the first part of his History of the Reformation, saith, that he having compared his Acts and Monuments with the Records, had never been able to discover any Error or Prevarications in them, but the utmost fidelity and exactness,) will find so many instances of putting all these bloody Laws before mentioned in Execution, as I persuade myself, that there are some Papists would even blush at, and be thoroughly ashamed of; and if they have any thing of Humanity in them, must utterly abhor. But before I can carry on the account of the rest of the Penal Laws made by the Papists against the Protestants, (the Reformation in King Edward the 6th's time, of Glorious Memory, intervening,) I shall shew how the Reformers used the Papists in his Reign.

## CHAP. V.

Ed. VI.

It may be expected that I should say something of Henry the 8th's Reformation: But as to what was done in Henry the 8th's time, I shall not trouble the Reader with any thing, because the Reverend and Learned Doctor Burnet is so far from giving him the Character of good; that he concludes his first part of the History of the Reformation, with this, (speaking of Henry the 8th.) I do not deny that he is to be numbered among the ill Princes, yet I can't rank him with the worst. Which Character certainly the preceding account of the Laws made in his time against the Protestants, does evidence to be very favourable to him.

Hist. of the Re-  
formation, vol.  
1. p. 362.

I shall therefore begin with the Laws made in the Reign of King Edward the 6th. King Edward the 6th coming to the Crown young, and Edward the 6th's reign being thoroughly to reform the Church of England from



from the Errors and Corruptions that were crept into Her, during the time she was under the Popish Tyranny: The first step that was set in order to it, was the visiting the Clergy quite over England, and compiling some wholesome Homilies, to supply the defect of Sermons, by reason of the ignorance of the then Clergy, and to prevent unnecessary Disputes in the Pulpits: Their Articles and Injunctions for the Visitation, were to be observed, under the pains of Excommunication, Sequestration, or Deprivation, not upon the Penalty of being burnt as a Heretick, or forfeiture either of Lands in fee simple, or Goods or Chattels, or either, or any of them: This was done before the Parliament was called.

Ed. VI.

Mild Methods  
us'd by King  
Ed. the 6th.  
before any Laws  
m.d.

November the 4th, 1547. The Parliament met, and the first Act of Parliament that was made, was an Act against such as should unreverently speak against the Sacrament of the Altar, and of the receiving thereof under both kinds, which Act of Parliament, in the Preamble, takes notice:

That the King, minding the Governance and Order of his most loving Subjects, to be in most perfect unity and concord in all things, and in especial in the true Faith and Religion of God, and wishing the same to be brought about with all Clemency and Mercy on his Highness's part towards them, as his most Princely Serenity and Majesty hath already declared by evident proof, to the intent that his most loving Subjects provoked by Clemency and Goodness of their Prince and King, should study rather to love than fear, to do their duties, first to Almighty God, and then to him and the Commonwealth, nourishing concord and love amongst themselves; yet considered and perceived, that in a Multitude, all were not of that sort, that Reason and the Knowledge of their Duty could move them from Offences, but many had need of some bridle of fear, and that some were men most contentious and arrogant, for the most part, or else most blind and ignorant: by the means of which sort of men, many things well and godly instituted, and to the Edification of many were perverted and abused, and turned to their own and others great loss, and hindrance, and sometime to extreme destruction, the which doth appear in nothing more, or sooner, than in matters of Religion, and in the great and high Mysteries thereof, and particularly, in the most comfortable Sacrament of the body and blood of our Saviour Jesus Christ: and sets forth, that the same was Instituted by Christ himself, the words of the Institution, and for what end, and then saith, that notwithstanding this, the said Sacrament had been marvellously abused, by such manner of men before rehearsed, who of wickedness, or else of ignorance, and want of learning, for certain abuses then-to-fore committed, of some, in misusing thereof, had condemned in their hearts and speech the whole thing, and contemptuously despised, despised, or reviled the same most holy and blessed Sacrament, and not only disputed and reasoned unbecomingly and ungodly of that most high Mystery, but also in their Sermons, preachings, Readings, Lectures, Communications, Arguments, Talks, Songs, Plays, or Jestes, name or call it by such vile and unseemly words, as Christian Ears do abhor to hear rehearsed.

Ed. 6. ca. 1.  
Rast. Stat. f.  
902.  
The Administration  
of the Lords  
Supper restored  
and the punishment  
inflicted  
on despisers and  
neglecters of it,  
more moderate  
than what the  
Papists inflicted  
on the Protestants.

From this preamble, I gather, that the Popish Clergy had been greatly guilty of defaming the administration of the Sacrament of the Lord's Supper, as used by the Protestants, according to our Saviour's Institution, and that this Law was made to inhibit such defamations, and to effect the same with as much Clemency and Gentleness, as the nature of the thing and the circumstances of time would bear, as will appear by what was Enacted for Reformation of such abuse, which was, That whoever was guilty of the like abuse, after the time in the Act for that purpose mentioned, should be imprisoned, and make fine and ransom at the King's Will and Pleasure.

That three Justices of the Peace at least, whereof one to be of the Quorum, should have power to take Informations and Accusations by the Oaths and Depositions of two able, honest, and lawful Persons, at the least, and then to trye the party accused, by a Jury at their Quarter Sessions.

From which I observe, First, that the Reformers did not make any Offence, relating to the Sacrament, high Treason, as the Papists had done denying Transubstantiation.

2. That they did not leave it to the Clergy, to examine in a Summary way, and convict, and then deliver the Offender over to the Secular power to be burnt; but left the Party to be accused by Legal Witnesses, and Tried by a Jury of Honest and Legal Men, according to the Fundamental Laws of the Kingdom: Nay,

3dly. They were so far from restraining the party accused of his Liberty, That it is particularly provided by the said Statute, that they might take Bail for his appearance. After which it was Enacted, by the same Act (and which I desire you to take in Doctor Burnet's own words) "That it being more agreeable to Christ's first Institution, and the practice of the Church for five hundred years after Christ,

His Reform.  
pt. 2. p. 41.  
"that



Ed. VI.

that the Sacrament should be given in both the kinds of Bread and Wine, than in one kind only, it should be commonly given in both kinds, except necessity did otherwise require; and it being also more agreeable to the first Institution and the Primitive Practice; that the People should receive with the Priest, than that the Priest should receive it alone: Therefore the day before every Sacrament, an Exhortation was to be made to the People, to prepare themselves for it, in which the benefits and dangers of worthy and unworthy Receiving, were to be expressed, and the Priests were not without a lawful Cause, to deny it to any who humbly asked it.

From which I observe, That this *Act* was made to restore the Administration of the *Lords Supper*, to its Antient and Primitive usage, in both kinds with the Priest, and that the Priest had not power to refuse giving it to any, without just ground; and that however here is no *Penalty* annexed either Spiritual or Temporal.

Rast. Stat. f. 904.

Several other Laws were made, in order to carrying on the *Reformation*, which inflicted no *Penalty* upon the *Papish* Clergy or Layety, but were made for the well governing the *Church of England*, as it stood then Reformed, and put it out of the power of the *Papists* to hurt them, as the 1 E. 6. 2. for the Election of Bishops, 1 Ed. 6. 12. for repealing 5 R. 2. 6. 2 H. 5. 7. 25 H. 8. 14. 31 H. 8. 14. 34 H. 8. 1. and 35 H. 8. 5. Which were the severe Laws, that the *Papish* Bishops and Prelates had obtained against the Professors of the true Religion, whom they had nick-named, in derision, *Lollards*, *Heretics*, and *Gospellers*.

When the *Reformation*, in *Edward the 6th's* time, had restored the right Administration of the Sacrament of the Lord's Supper, they rested for two years, before they reformed the *Liturgy*; to the end, they might by degrees, and with all Acts of Clemency and Kindness, draw the *Papists* off from their Innovations, and Corruptions, but finding that would not do, in the 3d. year of Ed. 6. An *Act* for Uniformity of Service and Administration of the Sacraments throughout the Realm was made and enjoyed, upon much milder penalties than any Laws relating to Religion, that were made by the *Papists*; for the Excellency of the Preamble of which *Act*, and that the truth of the Penalties may appear, I have inserted both.

23 E. 6. c. 1.  
Rast. Stat. f. 912.  
An *Act* for Uniformity, upon mild Penalties enjoyed.

Whereas long time, there hath been had in this Realm of England, and in Wales, divers forms of Common Prayer, commonly called the Service of the Church, that is to say, the use at Sarum, of York, of Bangor, and of Lincoln, and besides the same, now of late, much more divers and sundry forms, and fashions have been used, in the Cathedral and Parish Churches of England and Wales, as well concerning the Mattens, of Morning Prayer, and the Evening Song, as concerning the Holy Communion, commonly called the Mass, with divers and sundry Rites and Ceremonies, concerning the same, and in the administration of other Sacraments in the Church, and as the Doers and Executors of the said Rites and Ceremonies, in other form than of late years they have been used, were pleased therewith, so others not using the same Rites and Ceremonies, were thereby greatly offended, and albeit the King's Majesty, with the Advice of his most entirely beloved Uncle, the Lord Protector, and other of his Highness Council, hath therefore divers times assayed to stay Innovations, or new Rites concerning the premises, yet the same hath not had such good success, as his Highness required in that behalf, whereupon his Highness, by the most prudent advice aforesaid, being pleased to bear with the frailty and weakness of his Subjects in that behalf, of his great Clemency hath not been only content, to abstain from punishment of those that have offended in that behalf; for that his Highness taketh, that they did it of a good Zeal, but also to the intent, an uniform, quiet, and Godly Order, should be had concerning the premises, hath appointed the Arch-Bishop of Canterbury, and certain of the most learned and Discreet Bishops, and other Learned Men of this Realm, to consider and ponder the premises, and there upon, having as well eye, and respect to the most sincere and pure Christian Religion, taught by the Scripture, as to the usages in the Primitive Church, should draw and make one convenient and meet order, right, and fashion of Common, Morning Prayer, and Administration of the Sacraments, to be had and used in his Majesty's Realm of England, and in Wales, the which at this time by the aid of the Holy Ghost, with one Uniform Agreement, is of them concluded, set forth, and delivered to his Highness, to his great comfort and quietness of mind, in a Book intituled, The Book of Common Prayer and Administration of the Sacraments, and other Rites and Ceremonies, after the use of the Church of England.

From which Preamble, I observe, 1<sup>st</sup>. That notwithstanding all the endeavours used by the King and his Council, to stay Innovations, and thoroughly to reform the Administration of the Sacraments of the Lord's Supper, divers of his Subjects would not comply. 2<sup>dly</sup>, That their non-compliance, was attributed to their frailty.



frailty and weakness: And 3dly, that his Clemency was such towards them, that he abstained from punishing them, because he took it, that they did it of a good Zeal. This Book of Common-Prayer being compiled, further to shew tenderness to the Papists, it was Enacted,

Ed. VI.

That all and singular person and persons, that had offended concerning the premises, other then such person and persons, as were then in the Tower of London, or in the Fleet, should be pardoned thereof; and that all and singular Ministers in any Cathedral or Parish Church, or other place within this Realm of England, Wales, Callis, and in the Partes of the same, or other the King's Dominions, should from and after the Feast of Pentecost then next coming, be bounden to say, and use the Matins, Evensong, celebration of the Lord's Supper, commonly called the Mass, and Administration of each of the Sacraments, and all their common and open Prayer, in such Order and Form, as is before mention'd in the said Book, and none other or otherwise; and it was further Enacted, That if any manner of Parson, Vicar, or other whatsoever Minister that ought or should sing, or say Common-Prayer, mentioned in the said Book, or Minister the Sacraments, should after the time therein prefixed, refuse to use the said Common-Prayers, or to Minister the Sacraments, in such Cathedral, or Parish Church, or other places, as he should, or minister the same in such Order and Form, as they be intended, and set forth in the said Book, or should use, wilfully and obstinately standing in the same, any other Rite, Ceremony, Order, Form, or manner of Mass, openly or privily, or Matins, Evensong, Administration of the Sacraments, or other open Prayer, then is mentioned, and set forth in the said Book, (Open Prayer in and throughout this Act, is meant, that Prayer which is for others to come unto, or hear, either in common Churches, or private Chappels, or Oratories, commonly called the service of the Church,) or should Preach, Declare, or speak any thing in derogation or depreciation of the said Book, or any thing therein contained, or of any part thereof, and should be thereof lawfully convicted, according to the Laws of this Realm, by verdict of twelve men, or by his own Confession, or by the notorious Evidence of the fact, should lose and forfeit to the King's Highness, his heirs and successors, for his first Offence, the profits of such one of his Spiritual Benefices, or Possessions, as it shall please the King's Highness to Assign, or appoint, continuing or acting in one whole year next after this Conviction: And also, should suffer six Months Imprisonment, without Bail or Mainprize. And should for his second offence suffer a years Imprisonment, and be deprived ipso facto of all his Spiritual Promotions, and that it should be lawful to all Barons, Knights and Gentlemen of all and singular the same Spiritual Promotions, to present to the same any other able Clerk, in like manner and form, as though the Party so offending were dead. And for the third offence should suffer Imprisonment during his life. And that Lay persons offending in the premises, should for the first offence, suffer Imprisonment during six Months without Bail or Mainprize, and for his second offence suffer Imprisonment during his Life. And it is further thereby Enacted, that if any person should in any Interludes, Plays, Songs, Rhymes, or by other open words, declare or speak any thing, in the derogation, deprecating, or depreciation of the same Book, or of any thing therein contained, or any part thereof, or should by open fact, Deed, or by open threatening compel, or cause, or otherwise procure, or maintain any Parson, Vicar, or other Minister, in any Cathedral, or Parish Church, or Chappel, or in any other place, to sing or to say any common or open Prayer, or to Minister any Sacrament, other wise, or in any other manner, or form, than is mentioned in the said Book, or that by any of the said means, shall lawfully interrupt, or let any Parson, Vicar or other Minister, in any Cathedral, or Parish Church, Chappel, or any other place, to sing and say common and open prayer, or to minister the Sacraments, or any of them, in such manner and form, as is mentioned in the said Book, they should forfeit to the King our Sovereign Lord, his heirs and Successors, ten pounds for the first offence, and for non-payment, should suffer three months Imprisonment, without Bail or Mainprize; and for the second offence twenty pounds; and for want of payment, should suffer six months Imprisonment, without Bail or Mainprize, and for the third offence should lose all his Goods and Chattels, and suffer Imprisonment during his life time.

From which Act it is evident, that all the mild Methods were taken, that could be thought on, to win over the Papists to the Reformed Religion; for the Penalties incurred, were not only suspended, but the offender pardoned, after they had been so long wicket at, and the Penalties upon which Conviction was injoyned, must be by all considering men adjudged reasonable, to be inflicted upon those that remained obstinate, after such kind usage, and the reason for that it is apparent, they made it their business to compel persons to go to Mass. One thing I can't let pass without a remark, That in this, as well as the Statute



Ed. VI.

tute of the 1st of Edward the 6th, the tryal of the offence is to be according to the Antient Laws of the Land, by a Jury, and that till then, they could incur none of the Penalties; so careful were the Reformers for the Liberties even of Papists.

Hist. Ref. pt. 2.

p. 115, 116,

117, 118.

Baker's Ch. on.

f. 303, 304.

Hist. Ref. pt. 2.

p. 140.

34 E. 6. ca. 5.

Rast. Stat. f.

989.

34 E. 6. ca. 10.

Images taken

away.

Keeble's Stat.

f. 676.

Rast. Stat. f.

994.

But notwithstanding all this favour shewn to the Papists, in one year they broke out into open Rebellion in four Counties in England, viz. in Oxfordshire, Devonshire, Norfolk and Yorkshire. So restless and unquiet are the Popish party, and such implacable Enemies to the Protestants, that if they be in power, nothing but destroying them by Law will serve, and if not, then Plots, Conspiracies, and open Rebellions, are their Methods; these four Insurrections, gave just occasion to make that severe Law against unlawful Assemblies, and rising of the Subjects, that if any to the number of twelve, should meet together unlawfully for any matter of State, and being required by any lawful Magistrate, should not disperse themselves, it should be Treason.

The next Act of Parliament that I shall take notice of, and indeed but just touch it, is the 3d. and 4th of Edward the 6th. ca. 10. Whereby divers Romish Books and Images were abolished and put away, and that without any punishment of the Papists that used them; but only a Penalty on the Officers, and Ministers of Justice, who did not put the said Law in Execution.

Thus things stood till the 6th of Edward the 6th, and then an Act was made, for the confirmation of the Liturgy, which takes notice in the Preamble,

36 E. 6. ca. 1.

Keeble's Stat.

f. 676.

Rast. Stat. f.

1009.

The Liturgy

confirmed.

March. R. p. 93.

That a great number of people in divers parts of the Realm, following their own sensuality, and living either without knowledge or due fear of God, did wilfully and damnable, before Almighty God, abstain, and refuse to come to their Parish Churches, and other places, where Common-Prayer, Administration of the Sacraments, and Preaching of the Word of God, was used upon Sundays and other days, ordained to be holy days, and both thereby enact, that uniformity of Prayer, and Administration of Sacraments, shall be used in the Church, requires Conformity thereunto, and leaves them who come not to Church, to be punished by the censures of the Church: And Enacts, That all persons that are present at any other Common-Prayer or Sacraments, for the first offence shall suffer six months Imprisonment, without Bail or Mainprize, for the second offence a years Imprisonment, and for the third, Imprisonment during life.

But none to have this inflicted, but they who are legally convicted according to the Laws of the Land, which cannot be esteemed severe, seeing they were occasioned by the Treasons and Rebellions of them upon whom they were inflicted.

## C H A P. VI.

Q. Mary.

Queen Mary her accession to the Crown, and how she used the Protestants before she had a Parliament.

35 H. 8. ca. 1.

Rast. Stat. f.

335.

Hist. Ref. 2. pt.

li. 2. p. 235.

HAVING shewn how kind and merciful King Edward the 6th was to the Papists all his Reign, notwithstanding their severe usage of the Protestants in his Predecessors Reigns, and their Treasons and Rebellions against himself, and the then Established Government, I shall now give an Account, what usage the Protestants had in the Reign of his Successour Queen Mary.

Upon the Death of King Edward, the Crown devolved upon Queen Mary, according to the settlement of it, by 35 H. 8. but she being a Papist, and King Ed. the 6th, having by his Letters Patents, limited the Crown to the Lady Jane (Daughter of Frances Dutchess of Suffolk) who was a Protestant, the Council Proclaimed the Lady Jane Queen, which Proclamation sets forth, that the late King had settled the Crown as aforesaid, and declared, that it should not descend to his two Sisters, since they were both Illegitimate in the Spiritual Courts, and by Acts of Parliament, and were only his Sisters by the half blood, who (tho' it were granted they had been Legitimate) are not Inheritable by the Law of England, it was added, that there was also great cause to fear, that the King's Sisters might marry Strangers, and so change the Laws of the Kingdom, and subject it to the Tyranny of the Bishops of Rome, and other Foreign Laws; for these Reasons they were excluded from the Succession, and the said Lady Jane was Proclaimed Queen as aforesaid, she promising to be most Benign and Gracious to all her people, to maintain God's Holy Word, and the Laws of the Land, requiring all the Subjects to obey and acknowledge her. And now all Protestants have been all of a mind, and the common sort of People been as well satisfied



satisfied, as the Council, great part of the Nobility, (and all the Judges but one) were, in what was done.

Q. Mary.

But oh the Calamities that divisions bring upon a Kingdom! The Earl of Arundel having given Queen Mary notice of the Death of her Brother, and the design of setting up the Lady Jane, she retires to Framlingham Castle in the County of Suffolk, whither many from Norfolk and a great body of Suffolk men, gathered about her, who were notwithstanding all for the Reformation, they (before they would assist her) desired to know of her, whether she would alter the Religion set up in King Edward's days, to whom she gave full assurances, that she would never make any Innovation or Change, but be contented with the Private Exercise of her own Religion; upon this, they were all possess'd with such a belief of her sincerity, that it made them resolve to hazard their Lives and Estates in her quarrel. The Earls of Barb and Suffolk, raised Forces and joyned with her, so did the sons of the Lord Wharton and Mordant, with many more; the Council raised Forces too, but her numbers encreasing greatly, and she growing very strong, the Council laid down, and submitted, and the 3<sup>d</sup> of July 1553, Proclaimed her Queen, the 3<sup>d</sup> of August in the same year she entered London, and was settled in the Throne without effusion of Blood.

Suffolk and Norfolk's kindness to Queen Mary. Hist. Reform. part 2. p. 233. 237. Baker's Chron. p. 312.

H. R. Ref. 2. p. 237. lib. 2. p. 238, 239, 240, 242, 245.

A wonderful Mercy to her! What returns to God Almighty the Author, and to the Suffolk men the Instruments hereof? Why the first thing was, secret consultations for the overthrowing the Reformed Religion, and introducing the Popish; however, there must be something externally done, that may induce people to believe the contrary; and therefore August the 12<sup>th</sup>, the Queen declares in Council, that altho' her Conscience was stay'd in the matters of Religion, yet she was resolved not to compel or strain others, otherwise than as God should put into their hearts a persuasion of that truth she was in, and this she hoped should be done by the opening his word to them, by Godly, Learned, and Vertuous Preachers.

And well she kept this Declaration, for the next thing that she did, was to inhibit all Preaching, so that they were like to be prevail'd with by Preaching, to be of the Queen's Persuasion.

But let us see how the Norfolk and Suffolk men were requited for their kindness to her, in hazarding their Lives and Estates, (if not their Souls) for her; why, they of the Protestants, presuming upon what they had merited, and the Queen's promise to them, took the Liberty to Preach, notwithstanding the Queen's Inhibitions, and she writes to have a strict Execution of her injunctions, against any that should Preach without License; they upon this apply themselves to her, to put her in mind of her promise. This was thought insolent, and she return'd no other answer, but that they being Members thought to rule her who was their Head, but they should learn, the Members ought to obey the Head, and not to think to bear rule over it; and as an instance of it, she ordered one of them, whose name was Dobb, to stand three daies in the Pillory, and afterwards the Suffolk men were the first in her Reign, that tasted of the burning for Heresie. Neither was she any kinder to Judge Hale, (who was the only Judge of the twelve that declared for her) for he, in his charge in the Circuit in Kent, requiring an Execution of the Laws made in King Edward's Days, which were still in force and unrepealed, was first committed to the Marshalsea, afterwards to the Fleet, where being distracted, attempted to have killed himself with a Pen-knife, and, being afterwards upon his submission discharged, never came to his Wits, but drowned himself; from these things it was then said (with a great deal of truth, as appears from very late instances) that no merits or services, can secure any from the cruelties of the Popish Religion.

Queen Mary's Requital.

H. R. Ref. 2. p. 246. lib. 2. p. 247.

A Popish Head of a Protestant Church.

These things together with Imprisoning divers of the Protestant Bishops, and Ministers of Parishes, were done from her entrance in July to October following, in the which Month she was Crowned, and having before summoned a Parliament, the same opened the 10<sup>th</sup> day of the same Month of October, (according to Doctor Burnes) but the 5<sup>th</sup> of October according to Rastal and Keeble's Statutes.

In the first Session of this Parliament, a Law was made, to repeal and take away certain Treasons, Felonies, and Premunires, introduced with a most specious Preamble; which is this,

Forasmuch as the State of every King, Ruler and Governour of any Realm, Dominion or Commonalty, standeth and consisteth more assured by the love and labour of the Subjects, towards their Sovereign Ruler and Governour, then in the dread and fear of Laws, made with rigorous pains, and extrem punishments, for not obeying their Sovereign Ruler, and Governours, and Laws also, justly made for the preservation of the Common-Weal, without extrem punishment, or great Penalty, are more often

The Case of the Bishop of London, Magdalen Colledge, the Judges Holway and Powell, and the Officers in the Army in the Reign of James the 1<sup>st</sup>. Hist. Ref. part 2. f. 252.

1 Mar. 14. 1. Rast. Stat. f. 1066. Keeble 708. This takes away all Treasons made so by Act of



Q. Mary.

Parliament of  
1553, and  
repeals it to  
25 Ed. 3. this  
done in favour  
of the Popish,  
who were made  
Traitors by Gene-  
ral Acts of Par-  
liament.

for the most part obeyed, and kept, then Laws and Statutes made with great and extreme punishment, and in special such Laws and Statutes so made, whereby not only the ignorant and rude unlearned people, but also learned and expert people minding honesty, are often and many times trapped, and snared, yea many times for words only, without

shall or been done, or perpetrated.  
The Queens Highness most Excellent Majesty, calling to remembrance, that many as well honourable as Noble Persons, as others of good Reputation within this her Majesty's Realm of England, have of late (for words only, without other Opinion, Fact, or Deed) suffered shameful death, not accustomed to Nobles, her Highness therefore of her accustomed Clemency and Mercy, minding to abolish and put away the occasion and cause of like chances hereafter to ensue, trusting her loving Subjects will for her Clemency to them shewed, love, serve and obey her Grace the more heartily and faithfully, then for dread or fear of pains of body, is content and pleased, that the severity of such like extreme dangerous and painful Laws, shall be abolished, annulled, and made frustrate and void.

Then Repeals actually all Laws, that made any thing high Treason, but what is so made by the 25th of Edward the 3d, except such as had incur'd any guilt, before the last day of September then last past, or were excepted in her Highness Pardon, and also repeals all Felonies, and Premunires, made so since the 1st of Henry the 8th.

O Blessed Preamble! O Blessed Law! full of Mercy, full of Kindness! but to whom? To all her loving Subjects. Who are they? the Protestants? No, by no means; they are Hereticks. To none but those of her own Communion, who must necessarily have been guilty of the Breach of those Laws, and it was therefore necessary to repeal them, that they might become serviceable in carrying on Popish Designs: That the Protestants were not intended, it's plain by the Exception, and the severe usage of them afterwards; to make way for which, in the Second Session of that Parliament after she had got her Title settled by Act of Parliament; the next thing she aimed at, and obtained, was an Act of Repeal of the Laws made in the time of King Edward the sixth, whereby the Reformation was Established; several whereof that were made with Penalties, I have before mentioned, viz. 1 E. 6. ca. 1. 1 E. 6. ca. 2. 2 and 3 E. 6. ca. 1. 3 and 4 E. 6. ca. 10. 5 and 6 E. 6. ca. 1. Besides those, there were several Laws necessary for the promoting the Reformation, which were likewise repealed by the said Act, viz. 2 E. 6. 21. for taking away all positive Laws made against the Marriage of Priests, 3 E. 6. 12. made for the ordering of Ecclesiastical Ministers, 5 E. 6. 3. made for the keeping of holy days, and feasting days, and 5 E. 6. 12. touching the Marriage of Priests and Legitimation of their Children; and then Establish'd the Mass Book, and all the Popish Service, and so Established iniquity by a Law.

Queen Mary having before inhibited Preaching without License (and to be sure the Protestants must have none) and having Repealed the said Laws, now begins to think of some effectual way, to promulge the Popish Tenets, and in order to this, an Act of Parliament was made, against affronting her Priests of the Romish Church, Intituled however, An Act against offenders of Preachers and other Ministers in the Church, (i. e.) such as were Licensed by her Highness; which to be sure must be Popish; to this effect, that none should by any Overt Act, molest or disquiet any Preachers, because of his Office, or for any Sermon that he might have Preached, (their Preaching being so ridiculous, that it gave cause of suspicion, that some would serve them so) nor should any way disturb them, when they were in any parts of the Divine Offices: Which they had reason to fear, because the People had been used to a more Decent and Christian way of Worship. The penalty was three Months Imprisonment.

On December the 6th, the 1st of Mary, this Parliament was Dissolved, because the House of Commons was displeased with the Match with Spain.

On the 11th of November, the 1st and 2d of Philip and Mary, the third Parliament was summoned, without putting in the Title of Supreme Head of the Church, and met, which Parliament so Summoned, petitioned to be Reconciled to the See of Rome, and Cardinal Pool accepts it, and absolves them, and now they are ready cut and dried for butchering Work.

The first severe Law we meet with, is an Act against Seditious Words, and Rumours, which confirms 23 E. 1. 33. and 2 E. 2. 5. touching telling of News, as if they were resolved (good people) nothing should be done, but what they had Prescribed for. But what doth that Law add? Why,

2 PA. and  
Mary, ca. 3.  
Rat. Stat.  
1100. Kell  
709.

1 Mary ca. 3.  
Rat. Stat. f.  
1069.  
Keeble 703.  
Popish Priests  
must not be di-  
sturbed in their  
preaching.

Queen Mary's  
third Parlia-  
ment differs in  
revenue the  
Kingdom to the  
See of Rome.  
Hist. Ref. 2 p.  
291, 293.



That if any person should be Condemned, or Attainted, for speaking Maliciously of his own Imaginations, any false, seditious, and slanderous News, sayings, or tales of the King or Queen, (for she was then married to King Philip,) for the first Offence, he was to be set on the Pillory, in some Market Town, near where the roads were taken, and have both his Ears cut off, unless he paid 100 l. to the Court, within a Month after Judgment given, and should be 3 Months Imprisoned. If he repeated any such News from another, then to stand in the Pillory and lose one Ear, unless he paid a hundred Marks within 4 Months, and should be 6 Months Imprisoned; and if he should do it by Book, Rhyme, Ballad, Letter, or Writing, he was to have his Right hand cut off; and for the second Offence should suffer Imprisonment, during his Life, and forfeit all his Goods and Chattels.

In this Law made by the kind Queen Mary? Who in the preamble to the first Act of Parliament, made in the first year of her Reign, declared so much against making Men Offenders for a word, and driving her Subjects to Obedience by severe Punishments, and Penalties? Yes, it is the very same Queen Mary: But now the Penal Laws are repealed, and she appears in her Popish Colours; now Pillory, and cutting off Ears, striking off Hands, and perpetual Imprisonment, with loss of Goods and Chattels, is better than Hereticks deserve, as you will find by subsequent Laws.

But these Penalties are not all that the poor Protestants must expect from Popish Rulers, if we look but a little further, even in the same Year, and the proceedings of the same Parliament, we shall find another Law made, to bind the Protestants hands, that H. 8. had in part Tied up, by 25 H. 8. ca. 14. and Ed. 6. had bound fast up by 2 Ed. 6. 12. which two Acts of Parliament had Repealed, 2 Ed. 5. Concerning Arresting of Heretical Preachers, 2 H. 4. 15. concerning Repressing of Heresies, and punishing of Hereticks, and 2 H. 5. 7. Concerning the enormity of Heresies, and Lollards, and the suppression thereof; (by Heresies and Hereticks, and Lollards and Lollards, is always to be understood, the Professors of the true Religion.) By this Act of Queen Mary the said Act of 25 H. 8. ca. 14. and 2 Ed. 6. 12. are repealed, and those three Bloody Laws are revived, what those Laws are, you may see at large in the beginning of this Treatise, only observe this, that least they should not prove in force, in the Statute of Revision Printed by Rastall all three Acts of Parliament are inserted Verbatim.

And that the World might not think them short in their return to Rome, or that they were not hearty in it, an Act was made, to Repeal all Laws whatsoever, that had been made against the See of Rome, by which Act is set forth, their former Schism from the See of Rome, and their reconciliation to it, upon which all Acts passed since the year of H. 8. against that See were enumerated, and repealed; there it is said, That for the removing of all Grudges that might arise, they desired, that the following Articles might, through the Cardinals Intercession, be Established by the Pope's Authority.

15. That all Bishopricks, Cathedrals, or Colleges established, might be confirmed for ever.

24. That Marriages made within such Degrees, as are not contrary to the Law of God, but only to the Laws of the Church, might be confirmed, and the Issues by them declared Legitimate.

34. That all Institutions into Benefices, might be confirm'd.

4th. That all judicial Process might be confirmed. And at last, a Proviso, that all the Settlements of the Lands of any Bishopricks, Monasteries, or other Religious Houses, might continue as they were, without any trouble by the Ecclesiastical Censures, and Laws. So hard a matter is it to dispossess men of Temporal advantages, when once they are possess of them; that altho' this Parliament would be reconciled to the See of Rome, as to Religious Rites, and persecuting the Protestants, yet they could not be brought to part with the Church Lands.

By this Parliament another worse Law was made, whereby it was Enacted, that if any Person should pray, or desire that God would shorten the Queens Days, or take her out of the Way, or any such Malicious Prayer, amounting to the same Effect, He, his Procurators, and Abettors, should be Traytors. I don't find in History, that the Protestants in any of their Prayers, or otherwise, used any such kind of Expressions against Queen Mary, and therefore can assign no reason why she should make this Law, unless she was Conscious to her self, that what Severities she had already acted, what she had made preparation for, and was further designing, might force such Prayers and Expressions from the poor Oppressed, and Persecuted

Q. Mary.

The Pro-

testants must

not speak a-

gainst the King

or Queen. Pille-

ry, loss of Ears,

striking off

hand, imprison-

ment during

Life, the pe-

nalties are

inserted.

25 H. 8. ca. 14.

Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.

2 Ed. 5.

2 H. 4. 15.

2 H. 5. 7.

25 H. 8. ca. 14.

2 Ed. 6. 12.



Q. Mary. Persecuted Protestants, that what the Wise Man said, might be verified; Oppres-  
sion makes a Wise Man mad; and truly nothing but a Mad Man can be supposed to  
utter such Expressions, much less make such Prayers.

I had no more Laws made in her time relating to Religion, and indeed one would  
think that the Repeal of the Laws that were made for the Establishing the Refor-  
mation, and the reviving all the Bloody Laws that were made against the Prote-  
stants, together with the additional ones above mentioned, had been sufficient to  
have gratified the most Barbarous, Blood-thirsty, and Cruel Tyrant: But, (O  
Popery) when wilt thou be satisfied with Cruelties? Will not the Blood of Ro-  
gers, Flower, Sanders, and Taylor, spilt by virtue of these Laws satisfy thee?  
King Philip it did so far, as that upon the dislike the Nation shewed of spilling  
the Blood of those four Ministers, he cleared himself of having any hand in it;  
and Alphonso a Franciscan Fryer, that was his Confessor, in a Sermon before him,  
the 10th. of February 1635. preached largely against the taking away peoples Lives  
for Religion, (which I shall hereafter evince can't be justly laid to the Charge  
of the Protestants) and in plain Terms, inveighed against the Bishops for doing of it;  
he said they had not learnt it in Scripture; which taught Bishops the Spirit of  
Meekness, to instruct those that opposed them, and not to burn them for their  
Consciences. This startled the Bishops, since it was now plain, that the Spaniards  
disowned these extream Courses, and hereupon there was a stop for several Weeks  
and to any further severities: But the Popish Clergy, being once engaged in Blood,  
have been always observed, to become the most Brutally cruel of any sort of men,  
so that it was not easie to restrain them, and therefore they Resolved rather than  
the Hereticks, (the Protestants) should not be persecuted, to take the Blame avow-  
ingly on themselves.

And no wonder, when they were countenanced and encouraged in it by the Queen  
her self, as is plain from this very instance, that in August after she came to the Crown,  
(there being a Conference about bringing Popery in again, in what time, by what  
means, and to what height; on the one hand Gardiner and all his Party, were for bring-  
ing Religion back to what it had been at King Henry's death, and afterwards by  
slow Degrees to raise it up to what it had been before his Breach with the Pa-  
pers) But on the other hand, the Queen of her own Inclination, was much dis-  
posed (as another of the same Perswasion lately was, no doubt) to return imme-  
diately to the Union of the Catholic Church, as she called it; and to evidence it,  
after a Petition sent to her, from some beyond Sea, (who were out of her Power)  
against Persecuting the Members of Christ, instead of hearkening to it, she was  
the more enraged by it, and the Popish Clergy were set on work to write Argu-  
ments, to justify the persecuting of Hereticks. Which they accordingly did. This  
being the Temper of this Queen, no wonder they proceeded soon after to burn  
Thomas Tomkins, William Husher, Causton, and Higbed, William Pigot, Stephen Knight,  
all Lay men, and John Lawrence a Priest.

The Clergy in all the Popish Bishops proceedings against the Protestants they brought no Witnesses  
against them, but did only exhibit Articles against them, according to the way of those  
Courts, (and our late High Commission Court) called *ex Officio*, and required them to  
make answer, and upon their Answers, which were Judged Hereticks, they were Con-  
demned, so that all this was singly for their Consciences, without the pretence  
of any other matter.

The next that suffered in this way, was Ferrar Bishop of St. Davids, and after  
him one Raylins White a Fisherman, and George March a Priest; the next were,  
Gardiner a Prebendary at Bath, John Warne an Upholsterer; the next to him  
was one that was burnt as it were in Effigy; the story is so remarkable, I cannot  
let it pass. One Tooby, being Executed for a Robbery, did at his death say some-  
thing that favoured of Heresy, upon which the Council writ to Bonner (which  
must be at the Queens Instigation) to inquire into it, and to proceed according  
to the Ecclesiastical Laws, he thereupon formed a Process, and cited the dead Bo-  
nner answering, was condemned and burnt.

The next that followed, were Thomas Hawk, John Simson, and John Ardly, John  
Watts, Nicholas Chamberlaine, Thomas Ormond, and William Bainford, all Lay-  
men. Then followed Bradford, Ridley, and Latimer, Philpot, Cramer, and abundance  
more, which you may read of, and the full Account of their Martyrdom, in  
the first and second Parts, and more briefly in Dr. Burnet's History  
of



















necessary to have more sharp restraint, and correction of Laws, then before in the time of the Queens Majesties most mild, and merciful Reign had been established.

Q. Eliz.

Hence it plainly appears, that the Parliament thought the Queens Person, and the Kingdom in great Danger from the Papists, who are all favourers of the Pope's Authority in England, and if Camden may be believed, not without reason, for he tells us, That Anno Domini 1562 in France, the Professors of the Reformed Religion were most grievously afflicted: And that thereupon the Papists in England muttered many and Great matters in secret talk amongst Companies, of suppressing in like manner the Protestants in England. And every one that is acquainted with the History of those times, knows, that at the same time that these things were bruited about, the Papists here, the Guises in France, and the Queen of Scots (that restless and unwearied Enemy of the Protestant Religion) were plotting and Contriving against the Queen, and that those Plots and Contrivances of the Queen of Scots, were never at an end, till the Axe put a period to her Life and them together.

Camd Annals  
fol. 58.

And how forward the Priests of the Romish Church, especially of the Order of Jesuits, are, to assert the Pope's jurisdiction, and bring in and Execute his Bulls here in England, is well known amongst Protestants. And that this is laid by the secular Priests themselves to the Charge of the Jesuits, I shall hereafter make appear. So that certainly it must be owned, that there was very good reason to make this Law; and as for the Penalties, they were annexed in terrorem, rather, than with any design to be inflicted to the ruine of them, against whom the Laws were made, as plainly appears from the History of the first 12 years of this Queens

Reign, during which time, the Persons of the Papists, (notwithstanding these Laws) remained in the Kingdom quiet, and undisturbed, till they themselves gave just occasion, for putting these, and the Ancient Laws of the Kingdom in Execution against them, and making further provision by the adding new Laws, with more severe Penalties, or rather enforcing the Execution of the old ones.

The Queens mild  
usage of the Pa-  
pists.

We don't read in our English Histories of twelve Papists that suffered Death in the 10 first Years of the Reign of Q. Elizabeth, nor of any that at any time were executed purely for exercising their Religion: But those of them that have been executed

Foulis Hist.  
of Romish Treas-  
ons, li. 7. cap. 2.  
fol. 325.

have dyed for Treason, and Rebellion; and Mr. Foulis tells us, that it is confessed by Strype, their Papal Champion, that there was not any that suffered in Queen Elizabeths time, but did teach the dangerous doctrine that the Pope could depose

The secular  
Priests in their  
impudent con-  
siderations, con-  
fess not above  
12 in 10 years;

Kings. That the Papists, both Clergy, and Laity, were used by the Queen, in the Beginning of her Reign, with all the kindness and even tenderness imaginable, must be believed; if one of the greatest Statesmen of his Age, and one of the Wis-  
est Persons this Nation ever bred, viz. The Lord Treasurer Burleigh, who was

and of those  
12, some were  
attainted of  
Treason. Col-  
lections f. 41.  
Lord Treasurer  
Burleighs letters  
ib. same f. 28.

in this Queens Reign, can challenge any Credit; he saith thus, "And though there are many Subjects known in the Realm, that differ in some Opinions of Religion from the Church of England, and that do also not forbear to profess the same; yet in that they do also profess Loyalty and Obedience to her Majesty,

Abr. Bzov. de  
Rom. Pontif.  
c. 45. p. 621.  
Execution for  
Treason, not for  
Religion p. 67.

and offer readily in her Majesties Defence, to impugn and resist any foreign force, that it should come or be procured from the Pope himself, none of these sort are for their contrary Opinions in Religion prosecuted, or charged with any Crimes,

Dr. Barne in  
his Hist. of the  
Ref. gives  
much the same  
Account of the  
usage of these  
Med. p. 264  
lib. 2. p. 398.

or Treason, nor yet willingly searched in their Consciences for their con-  
trary Opinions, that savour not of Treason. (They were not Closeted.)

For instances in several, Dr. Heath, Arch-Bishop of York, and Lord Chancellor of England in Queen Mary's time, who (saith he) at the first coming of her Ma-  
jesty to the Crown, shewing himself a faithful and quiet Subject, was continued in

much the same  
Account of the  
usage of these  
Med. p. 264  
lib. 2. p. 398.

his Offices, tho' in Religion then manifestly differing, and yet was he not deprived of his Liberty; nor deprived of his proper Lands and Goods, but

continuing both his Offices, lived in his own House, and enjoyed all his pri-  
vate Rights, during all his natural life, until by very Age he departed this  
World, and then left his House and Living to his Friends. An Example of gentle-  
ness, never matched in Queen Mary's days. The like did Dr. Pool, who had been

28. fol. 111  
Hist.

Bishop of Peterborough, Dr. Fosfall Bishop of Duresme, these of quiet behavior,  
There were others he tells us, Dr. White, and Dr. Ogleshorp, the one Bishop of Win-  
chester, the other of Carlisle, and Dr. Thurlby, and Dr. Watson, one Bishop of Ely,  
the other of Lincoln, not pressed with any Capital Pain, though they maintained

Vol. 1. p. 111  
Hist.

an Authority against the Laws of the Realm. Mr. Feckham, an Abbot, is  
also mentioned in. Some Deans, as Dr. Bonall, Dean of Windsor, a Person of  
great Modesty, and Knowledge; Dr. Cole, Dean of Pauls, a Person more earnest,  
and Wife, Dr. Reynolds, Dean of Exeter, and many such others, having born

Office



Q. Eliz.

Office and Dignities in the Church, and had made profession against the Pope, which they began in Queen Mary's time to change, yet were they never to this day burdened with Capital pains, nor yet deprived of any of their Goods or proper Livelihoods, but only remov'd from their Ecclesiastical Offices, which they would not Exercise according to the Laws. And most of them for a great while were retained in Bishops houses (not in Cole-holes and Dungeons, as Bonner entertained the Protestants in the Marian daies,) in very civil and courteous manner, without charge to themselves or their Friends, until the time that the Pope began by his Bulls and Messages to offer trouble to the Realm, by stirring of Rebellion; about which time, only some of those aforementioned, being found busier in Matters of State, tending to stir troubles, than was meet, for the common quiet of the Realm, were removed to other more private places, not into Smithfield to be burnt, after a pretended Conviction of Heresie, in an Arbitrary and Illegal manner.

Cambd. Annals, f. 28.

In all England, where there are 9400 Ecclesiastical Promotions, there were turned out of their Livings, Dignities, and Bishopricks, not above 800 Parsons of Churches, 50 Prebendaries, 15 Presidents of Colledges, 12 Archdeacons, as many Deans, 6 Abbots and Abbesses, 14 Bishops.

Baker's Chron. f. 395.

Until the twentieth year of Queen Elizabeth's Reign, the Papists in England were mercifully conniv'd at; while they solemnized their own Rites, within their private houses, tho' that also were against the Laws.

The Priests confess the Queen's mild usage of Papists. Lord Burleigh Examines for Treason. The Secular Priests important consideration, and the Jesuits refuse to be examined.

The Secular Priests themselves, Watson and Blunt, confess in their important Considerations, (wherein they make the Jesuits Plottings and Treasons to be the occasion of making and Executing the Penal Laws) "That for the first ten years of Queen Elizabeth's Reign; the State of Catholicks (i.e. Papists) was tollerable, and after a sort in some good quietness; such as for their Consciences, were imprisoned in the beginning of her coming to the Crown, were very kindly and mercifully used, the state of things then considered, some of them were appointed to remain with such their Friends, as they themselves made choice of. Others were plac'd, some with Bishops, some with Deans, and had their Dyet at their Tables, with such convenient Lodgings and Walks for their Recreations, as did well content them. They that were in the ordinary Prisons, had such Liberty and other Commodities, as the places would afford, not inconvenient for men in their Cases. But that our Brethren of the more sery and Jesuitical Humour may not snuff hereat; we have thought it meet to cool their heat, with some of Master Parsons, and his Fellow Mr. Creswell's more gentle delays (then are usual with them :) who in one of their Books do confess as much in effect, as here we have set down, if not more, than those great Emperor-like Jesuits, do speak to her Majesty. In the beginning of thy Kingdom, thou didst deal something more gently with Catholicks: None were then urged by thee, or pressed either to thy Self, or to the denial of their Faith, all things (indeed) did seem to proceed in a far milder course: no great complaints were heard of: there were seen no extraordinary punishments or repugnancies; some there were, that to please and gratify you, went to your Churches, but when afterwards thou didst begin to wrong them, &c. And thus, not only our own Historians, do acquit Queen Elizabeth of all imputations of Rigour, or cruelty towards the Papists, for the beginning of her Reign, but even the Secular Priests; not only do it themselves, but have Printed and published it to all the world, that the Jesuits themselves, Parsons and Creswell, could not but acknowledge it too.

And what was it that she began to be severe? The Seculars give this answer to it, "that whosoever it was, we our selves (certain Catholicks of all sorts) were the true cause of it. For whilst her Majesty and the State, dealt with the Catholicks as you have heard, which was full seven years, no one Catholick being called in question of his life, for his Conscience all that time: Consider with us how our profession proceeded with them." Her Highness had scarcely felt the Crown warm upon her head, but it was challenged from her by some of her Neighbours, as Master Parsons noteth. Thus they themselves confess, but because I am past five years of Queen Elizabeth's Reign, and am to give the true Reasons of making the rest of the Penal Laws in Queen Elizabeth's time, I shall proceed to assign the Reasons of making the 13 Eliz. 1.

The grounds of making 13 Eliz.

Queen Elizabeth having triumphantly Reigned above 10 years in the Nation, to the great joy and comfort of her Subjects; the Romish party, as they had been all along plotting and contriving, to disturb her Reign, so in the eleventh year of her reign, June 25th, they more openly appear'd, and Thomas Harding, Nicholas



Nicholas Sanders, and T. P. Divines, busily exercised their Episcopal Power, receiv'd from the Bishop of Rome, of absolving in the Court of Conscience, all English men which returned to the Bosom of the Church, and of dispensing also in cases of irregularity, excepting causes arising of wilful Murder, or brought into a contentious or judicial Court, and also of absolving from Irregularity in respect of Heresie, so as the persons to be absolved, do abstain from the Service of the Altar, by the space of three years.

After this, in the same year, Robert Rodolph, a Florentine, who had lived long time as a Factor in London, was imployed by Pius Quintus Bishop of Rome, (for he durst not send his Nuntio openly) to excite the Papists in England, secretly against Queen Elizabeth, which he most carefully and closely performed. And this same Pope writ a Letter to the Earls of Northumberland and Westmerland, which had such success, that the latter end of 1569, a Rebellion of the Papists broke out in the North, fomented and carryed on by one Nicholas Morton, a Priest, who was sent from the Bishop of Rome, to pronounce Queen Elizabeth to be an Heretick, and thereby to have forfeited all Dominion and Power. The Ring-Leaders of the Rebels, being the Earls of Northumberland, Westmerland, and Suffex. The Rebels went first to Durham an Episcopal See, where they rent and trampled under feet, the English Bibles, and Books of Common Prayer, which they found in Churches, and Celebrated Mass in all places where they came, their number was six hundred Horse, and four thousand Foot. But this Rebellion was quickly suppressed, threescore and six petty Constables hanged for a terror at Durham; amongst whom the men of most note, was one Plautree a Priest, Simon Digby, John Fulthorp, Thomas Bishop, and Robert Pomeroy a York; and at London some few months after, Christopher and Thomas Norton, and some few elsewhere.

Afterwards such of the Rebels as were of best note, were convict of high Treason, and proscribed, viz. Charles Earl of Westmerland, Thomas Earl of Northumberland, Anne Countess of Northumberland, Daughter to Henry Earl of Worcester, Edward Darcy of Morton, John Nevel of Liversedge, John Swinborne, Thomas Markenfield, Edmund Ruffish, the Earl of Suffex his Brother, Christopher Nevil, Richard Norton, of Northampton, Christopher Marmaduke, and Thomas of the Family of the Nortons, Robert and Michael Tempest, George Stafford, and about forty more of Noble Birth. These men Convictions and Proscriptions, was confirmed in the next Parliament. The rest, which had no Estates, nor had fled the Land, (as the Earl of Westmerland and several others did) were pardoned; not taken and hanged like Dogs in Cold-Blood, without Trial, as many hundreds were in the West in 1685.

The Letter writ by Pope Pius V. to the Earls of Northumberland and Westmerland, was this, viz.

A Letter of Pope Pius V. to the Earls of Northumberland and Westmerland, for encouraging them in the Rebellion against Queen Elizabeth, they were then engaged in: Being the tenth Letter of the fourth Book of the Epistles of the said Pope Pius, published at Antwerp, ex officina Plantiniana, by Thomas Gouban, in the year 1640, and now from that Edition Translated into English.

Q. Eliz.  
Cambd. Annals, lib. 1. f. 107.  
In 1568, the Priests exercise Ecclesiastical Jurisdiction under the See of Rome.  
Rodolph excites the Queen's Subjects against her.  
Cambd. Annals, f. 118.  
Foulis Hist. lib. 7. ca. 3. p. 330.  
Udal's Hist. of Mary Queen of Scotland, p. 119, 169.  
In 1569. The first Rebellion under the Earl of Westmerland, fomented by Morton the Priest.  
Cambd. Annals, f. 133.  
134, 135, 136.  
Collection, f. 9.

Hist. Account of the Jesuits Behaviour for the first 25 years of Queen Eliz. f. 35.

This Letter refers to lib. 3. cap. 9. of the Life of Pius Quintus, by Gabutius, p. 115.

Beloved Sons, Thomas Earl of Northumberland, and Charles Earl of Westmerland, in England.

Beloved Sons, Noblemen, Health to you, and Apostolick Benediction.

By your Letters dated to us, the eighth day of November, (which being brought to us the eighth of February, we have speedily returned Answer) we have more certainly and particularly, the Miseries and Calamities of this flourishing Kingdom, not unknown to us before, we were affected with the loss of mind, wherewith both the Indignity of these Evils which we suffer in



Q. Eliz.

in you, and Our Paternal Affection towards both you and other Catholicks in that Kingdom, ought to affect us; for besides that Common Duty of Pastoral Charity, wherewith we ought to rejoyce at the Welfare, or to be grieved at the Calamity of all the Faithful of Christ, and of every Province in which the Christian Name is professed, we are affected with an Episcopal prerogative of Love and Benevolence towards that Kingdom, both because We remember it was heretofore by the Labour and Industry of our Predecessor, the Blessed Gregory Bishop of Rome, (next after God Omnipotent) Converted from the Worship of Wood and Stones, to the Christian Faith; and by fit Men sent thither from him, instituted in Manners, and in the Catholick Doctrine, and also because it used to exhibit to the Apostolick See, an excellent Faith and sincerity of Devotion; therefore how much we grieve and are troubled at these your Evils, and the Evils of that Kingdom, which you in the same Letters no less Truly than Miserably Lament, cannot easily be exprest in Words. We grieve that so many and so great Poisonous Infections of wicked Heresies, and so deadly Wounds of the Christian Common-Wealth, should chiefly happen in the times of Our Pontificate: We are troubled, because We are Compelled to be Solicitous about the Danger of you and other Catholicks; but yet when We remember the Power of his Prayers, who entreated for St. Peter, that his Faith might not fail; and who enlarging his Church in Tribulation, does by so much the more admirably govern it by the Providence of his secret Council, how much the more he sees it tossed by the Waves of Troubles. We despair not, but what we have heard to have been done in former times, may also by the Divine assistance, be done in ours. That the Church which often seems by the prevailing Persecution of Hereticks to be trodden down, may return to its State of Antient Felicity, (the Lord Conspiring with her to a good Omen) and may receive increase from that wherein she seemed to have suffered Loss. For Behold, even now, he that of old things makes new ones, and of new things old ones, Our Lord Jesus Christ bath by you, (Men, Dear to Us, and Eminent, as well by the Study of Catholick Piety, as by Nobleness of Birth) determined, peradventure to renew and confirm the Antient Union of the Romish Church, with that Kingdom; and therefore bath infused into you that mind, most worthy of the Zeal of your Catholick Faith, that you should attempt to reduce back that Kingdom (delivered from the most vile Servitude of a Womans Lust) to the Antient Obedience of this Holy Roman See, which Pious and Religious endeavour of your Minds, We recommend (as is fit) with just Praises in the Lord, and giving it that Our Blessing, which you desire; We do with the Benignity which becomes us, receive your Honours flying to the Power and Protection of us, and of this Holy See, to whose Authority they Subject themselves; exhorting you in the Lord, and with all possible earnestness of Our Mind, entreating you to Persevere constantly in this your so exceeding good will and laudable Purpose: Being assured that the Omnipotent God, whose Works are Perfect, and who hath excited you to deserve well of the Catholick Faith in that Kingdom, will be assisting to you. But if in asserting the Catholick Faith, and Authority of this Holy See; you should suffer Death, and your Blood be spilt, it would be much better for the Confession of God, to flye by the Compendium of a Glorious Death to Life Eternal, than living Basely and Ignominiously, to serve the Lust of an Impotent Woman, with the Loss of your Souls. For think not, Beloved Sons in Christ, that those Catholick Bishops, or Princes of that Kingdom whom you name, are ill dealt with, who because they would not forsake the Profession of the Catholick Faith, are either Imprisoned, or undervaluedly affected with other Punishments, for the Constancy of these Men, which is even now confirmed by a new Example (as we conceive) of the Blessed Thomas, Arch-Bishop of Canterbury, no man can sufficiently commend, as it deserves. This same Constancy, you also imitating; be



of a Courageous and Constant mind, and desist not from the Enterprize by any Threat or denunciation of Danger. For God in whom you ought to repose your Trust, who did cast the Chariot and Army of Pharaoh into the Sea, is able to break the Strength and Power of his Adversaries; so that by you, the Primitive Religion and Ancient dignity of that Realm may be restored, which that it may be Compassed, we shall not only help you in performing with those Christian Princes whom you would, those Offices which you desire, but also in Contributing at present, that Sum of Money, which according to our Ability, in answer to your Request, We can supply you with, as you shall more clearly and fully understand by our Beloved Son Robert Rodolphus, We being also ready to endeavour hereafter to contribute a Greater Sum than the Imbecility of Our Power will bear, and with a ready and chearful Mind to help your Pious Endeavour, with all our Estate and Power, which We can in the Lord.

Given at Rome at St. Peters, under the Fishers Ring, the twentieth Day of February, 1570. In the fifth year of our Pontificate.

The Character the Lord Treasurer Burleigh gives this Charles Earl of Westmerland, is, "That he was a person utterly wasted by Looseness of Life, and by God's punishment, even in the time of his Rebellion, bereaved of his Children, that should have succeeded him in the Earldom, he saith, his Body was eaten with Ulcers of Lewd Causes, that no Enemy he had could wish him a Viler Punishment. This was one of Pope Pius Quintus his Sons.

Execution for Treason, Col-lection. p. 2.

No sooner was this Rebellion thus happily suppress'd, and so much mercy shewn, but another breaks out at Naworth in Cumberland, headed by Leonard Dacres, second Son to William Lord Dacres, of Gillestland, in order to deliver the Queen of Scots, who was then in Custody; but the Lord Hunsdon, with the Old Garrison Soldiers of Berwick, engaging him at the little River Gelt, after very many of the said Leonard Dacres's Men were slain, he left the Victory to the Lord Hunsdon, and withdrew himself to the next part of Scotland, from whence, shortly after, he Crossed the Sea into the Low Countries, and dyed a poor Man at Louvain. The Queen by publick Proclamation, pardoned the Multitude whom he had excited to Rebellion.

The second Rebellion was in the same year, and headed by Leonard Dacres. Cambd. Annals, fol. 136, 137.

And as the Papists gave Queen Elizabeth these disturbances here in England; so they were not wanting in Embroiling of Ireland: So ungrateful were they for all the favour and kindness, that she had from time to time shewn them. Edmond and Peter Butler, the Earl of Ormond's Brethren, engaged themselves with the Bishop of Rome, and the Spaniard, for maintaining the Popish Religion, and ousting Queen Elizabeth of her Kingdom of Ireland. But their Brother the Earl of Ormond quenched this Flame, by perswading his Brethren to submit themselves, who by that means saved their Lives.

The third Rebellion was in Ireland in the same Year; headed by the Bote-lers.

And no wonder it is, that the Papists thus Rebel against Queen Elizabeth; when Pius Quintus, Bishop of Rome, who had from the time he came to the See, been continually plotting against her, had the year before by his Bull declaratory, without any previous admonition, or Citation, excommunicated her, and did afterwards cause the same to be openly published, and set up upon the Gates of the Bishop of London's Palace, in these words.

Cambd. Annals. f. 137. The Reason of these Rebellions was Pope Pius Quintus his Bull. Cambd. Annals, fol. 145. Baker's Chro. fol. 34. Foulis li. 7. ca. 2. fol. 325. Collection. f. 3. Pope Pius Quintus his Bull. Cambd. Annals, fol. 146. Fowlis, 331.

A Summe Declaratory of our Holy Lord Pope Pius Quintus, against Elizabeth Queen of England, and the Heresicks adhering unto her, wherein also all her Subjects are declared to be absolved from the Oath of Allegiance, and whatever other Duty they owe unto her. And those that from henceforth shall obey her, are involved in the same Curse or Damnation.

Pius Bishop, Servant to God's Servants, for a future Memorial of the matter. He that reigneth on high, to whom is given all Power in Heaven and in Earth, hath Commended his one, Holy, Catholick, and Apostolick Church, out of which there is no Salvation, to one alone upon Earth, namely, To Peter the Chief of the Apostles, and to Peter's Successor, the Bishop of Rome, to be by him govern'd with plenary Authority. Him alone hath he made Prince over all People, and all Kingdoms, to pluck up, destroy, scatter, consume, plant, and build; that he may preserve his faithful People, (knit together with







all men, judicially, and extrajudicially, as these Presents should do, if they were exhibited or shown.

Q. Eliz.

Given at Rome at St. Peters in the year of the Incarnation of our Lord 1569, the fifth of the Calends of March, and of our Popedom the fifth year.

Ce. Glorierius.

One Felton hung up this Bill upon the Bishop of London's Palace Gates, and scorn- ing to seek an escape, boldly vindicates the Pope, and himself, in what was done, defying the Queen and her Authority, for which he was Arraigned, Condemned, and Hanged, near the same place in St. Paul's Church-yard.

Now for any thus to contemn, and villifie his Sovereign, nul her Authority, re- nounce his Allegiance, and so far to submit himself to a Foreign Jurisdiction, even in Temporalities, as to declare his own Sovereign deprived and deposed from her King- dom, what punishment this man incurr'd, let the Reader Judge, provided he will also consider, That had a Protestant thus renounc'd his Obedience in Queen Mary's daies, the party must have dyed for it; and those who commend Felton, would have called the other Traytors; and yet Felton did it to procure a National Rebellion.

Besides this, in the beginning of the 13th year of the Reign of Queen Elizabeth, in Ireland, Conogher O'Brien Earl of Twomond, closely contrived a Rebellion, which, just as it was ready to break forth, was by meer chance blown over; and Thomas Steukley an Englishman, a Russian, a notorious Spendthrift, and a notable vapor, (who having consumed his Estate, fled over into Ireland) after he had first vomited forth most un- deserved disgraces against his Princess, to whom he was extraordinarily bounden, soon after slipped out of Ireland into Italy, to Pius V. Bishop of Rome, where incredible it is, into how great grace and favour he wrought himself, by his Flatteries with that old man, who breathed after the destruction of Queen Elizabeth.

This Steukley (saith the Lord Treasurer Burleigh) was a defamed person almost thro' all Christendom, and a faithless Beast, rather than a Man, fleeing first out of England for notable Piracies, and out of Ireland for Treacheries not pardonable, and that he and the said Charles Nevil Earl of Westmerland, were the Ring-Leaders of the rest of the Rebels; the one for England, the other for Ireland: But notwithstanding the no- torious evil and wicked Lives of these and others their confederates, void of all Chri- stian Religion, it liked the Bishop of Rome, as in favour of their Treasons, to ani- mate them to take Arms against their lawful Queen, to invade her Realm with Fo- reign Forces, to pursue all her good Subjects and their Native Country, with Fire and Sword, for maintenance whereof, the Bull aforesaid had proceeded.

And the Pope, the Guises, the King of Spain, and the rest of the confederates against the Queen and the Protestant Religion, the better to carry on their designs, did soon after Queen Elizabeth came to the Crown, set up a Title thereto in the Queen of Scots, as aforesaid, which was one principal cause that there were so many Plots and Con- spiracies during her Reign, tho' none gave her any great trouble, till about the 10th or 11th year of her Reign.

It appears by Letters from the Pope to the Queen of Scots, written in the year 1571. 13 Eliz. that there was a design on Foot to introduce Popery and to subvert the Protestant Religion here in England, which Letter was delivered by Ridolpho the Flo- rentine, before mentioned, his means to the Queen of Scots: And Ridolpho by his own particular Letters to the Queen of Scots, desired her to acquaint the Duke of Norfolk and her Friends with the Design, but there being at that time a Treaty begun, in order to her being restored to her Kingdom of Scotland, whereof she was at that time dispos- sess'd, she defer'd answering the Letter; but the Treaty afterwards coming to nothing, she privately sent a large commentary or draught of her Counsels and Affairs to the Duke of Norfolk before mentioned, written in Cyphers, known only to them two, as also other Letters to be conveyed by Ridolpho to the Pope and the Spaniard; Ridolpho greatly pressed the Duke to enter into the Confederacy, and as an encouragement, affirmed, That the Pope, so that the Catholick (i. e. the Popish) Religion might be promoted, would bear the charge of the whole War, and that he had to that purpose laid down an hundred thousand Crowns the last year, when the Bull was Published, whereof twelve thousand, he the said Ridolpho had distributed amongst the English Fugitives. He promised that the Spaniard would supply him with 4000 Horse, and 6000 Foot, which might be sent over to Harwich (near whereunto the Duke had many Potent Adherents) and

Cambd. An- nals, f. 148. Fowles Hist. lib. 2. ca. 3. f. 327. Collections, f. 24. Felton hanged as a Traytor for publishing the Bull.

The 4th Rebelli- on was in Ire- land, begun in the beginning of 13 Eliz. by Co- nogher O Bri- en, Earl of Twomond. Cambd. An- nals, f. 153.

Collections, f. 2, 3

Contrivances by the Pope, the King of Spain, the Guises, and the Queen of Scots, against Queen Elizabeth and the Prote- stant Religion. Fowles, p. 330, 331.

Cambd. An- nals, lib. 2. f. 154.

Camd. Hist. lib. 2. fol. 157. Baker's Chron. f. 344. Some Writers say 150000. Crowns.



Q. Eliz.

Cambd. Annals, p. 158.  
Baker Chron. fol. 844.  
Cambd. Annals, lib. 2, fol. 162.

and that most commodiously, and without suspicion, in the beginning of Summer, when the Duke of *Medina Celi* was to come with a strong Fleet into the *Netherlands*. And concluded, that such Caution might be used, that the Duke might be cleared from all Suspicion of affecting the Crown, and the Queen of *England* safely might be provided for, so as she would Embrace or tolerate the *Romish* Religion, and give her assent to the Queen of *Scots* Marriage with the Duke. Which Conspiracy the Duke at that time refused to enter into, notwithstanding *Ridolphus* plausible reasoning, as he did also a Proposition made to him from *Ross*, by *Barker*, of surprising the Queen at unawares, and interrupting the *Parliament*, which was then sitting.

The Commentary of the Queen of *Scots* before mentioned, being afterwards discovered, there the Design appearing, I have inserted what *Cambden* saith she therein discoursed, viz. "That the *French* approved of the Conference begun with the *Scots*, and yet propounded the Marriage of the Duke of *Angou* with Queen *Elizabeth*, and that to no other end, but that they might have the better pretence to deny the aid promised for her Restitution. That the same *French* privately opposed her Marriage with *Don John* of *Austria*, and highly favoured that with *Norfolk*, in hatred to the *Spaniards*. That the Duke of *Alva* did so far condemn the Design, for sending back the Queen of *Scots* into *Scotland*, that he thought it to be attended with the utter undoing of the Queen, and the overthrow of the *Catholick* Religion in *Britain*; for the Queen being returned into *Scotland*, must of necessity either undergo the danger of being besieged, or else hazard a Battel with the *Rebels*, who with the help of the *English*, would soon get her into their power, before any foreign Forces could come to her assistance. Seeing then she could not be safe in *Scotland*, and from *France* there was small hope, that being embroiled with Wars within it self, he thought it her best Course to fly to the *Spaniards* help, who had proffered her Marriage with *Don John* of *Austria* (which, notwithstanding she would refuse, having given her Faith that the *Papish* Religion in *Britain*, should be restored by *Norfolk*;) as also that her Son should be forthwith conveyed out of *Scotland*, and sent into *Spain*; for so he would be kept in safety, and instructed in the *Romish* Religion, from his very Childhood, and withal all pretences would be taken from the *Scots*, who Cloaked their Rebellion under his Name. That to solicit these matters, and to procure foreign assistance, *Ridolph* was to be sent away presently, who was to have private directions, in any Case to conceal these things from the *French*.

Cambd. Annals, p. 163.

Baker's Chron. fol. 344.

Cambd. p. 166.

Fornis Hist. lib. 2, fol. 26.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

When the Council had received this Commentary, and the Letters before mentioned, as likewise other Letters sent from the Bishop of *Rome*, and one *Barker* being apprehended, had made a full Confession, the Duke of *Norfolk* was committed to the Tower, together with *Barnister*, the Dukes Counsellor at Law, the Earls of *Arundel*, and *South-hampton*, the Lord *Lumley*, the Lord *Cobham*, and *Thomas* his Brother; *Henry Percy*, *Lowder*, *Powel*, *Goodyear*, and others, who every one of them, even the Duke himself confessed the matter. The Iniquity of these times, and the Love of the Estates of *England*, (which were then assembled at *Westminster*) towards their Prince and Country, occasioned the making an Act of Parliament, whereby certain Offences were made Treason.

Rail Stat. p. 2.

fol. 126.

To hold that the

Laws and Sta-

tutes cannot be

mit the Crown,

and bind the

Succession, Treas-

on during the

Queens Life,

and a Premu-

nire ever after.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

13 Eliz. ca. 1.

The Preamble of this Act, takes notice, that it was thought the Laws and Statutes of this Realm then in force, were not sufficient for the preservation of the Queens person, which ought to be provided for, and by the Neglecting whereof, the Government might be subverted. And therefore it was Enacted, and provided, according to the Tenor of former Laws, that if any should attempt the Detraction, or personal Hurt of the Queen, or cause War, or excite others to War against her; if any should affirm that she is not, nor ought of right to be deemed Queen of this Realm, but that the Kingdom is more justly due to another, or should pronounce her to be an heretick, Schismatick, or Infidel, or should usurp the Right and Title of the Kingdom, during her Life, or attempt, that any other hath right to the Crown, or that the Laws and Statutes cannot limit, and determine the Right of the Crown, and the Succession thereof, Every such person should be guilty of High Treason during the Queens Life, and that after her death, if any person held the Doctrine that the Laws and Statutes cannot limit and determine the Right of the Crown and the Succession thereof, he should incur a Premunire expressly contained, that any person so, or ought to be here, or successor to the Queen, within any Books, or Writings to that effect, he, and his Abettors, should for the first offence, incur the Penalty of a Year, and for the second offence, incur the Penalty of a Premunire.



by the Protestants against the Papists.

29

I confess that *Keble* saith in his *Collection of Statutes*, that this *Act of Parliament* is expired, but what ground he hath for it, appears not any where that I can find, either in our *History*, or *Law Books*; so that I take it, for so much as was to continue after her death, it is in force still, not being repealed by any subsequent Statute; and therefore certainly, who ever holds that Doctrine; that the Right of the Crown, and the Succession thereof, cannot be limited, and determined by the Laws and Statutes of the Kingdom, incurs a *Premunire*.

Q. Eliz.  
Keble, Stat.  
fol. 827.

There was also another *Act of Parliament* made in the same Session, the which is intitled, an *Act against the bringing in, and putting in execution of Bulls, writings, or Instruments, and other Superstitions from the See of Rome*.

The Preamble of which Statute, recites the Stat. of 5 Eliz. ca. 1. Touching the Abolishing of the Authority of the Bishop, and See of Rome; and setteth out, That yet nevertheless, divers seditious, and evil disposed People, minding not only to bring this Realm, and the Imperial Crown thereof, (being in very deed of it self most free) into the Thraldom, and subjection of that foreign, usurped, and unlawful Jurisdiction, Preheminence, and Authority, claimed by the said See of Rome; but also to estrange the Minds, and Hearts of sundry of her Majesties Subjects, from their Dutiful Obedience, and raise and stir Sedition, and Rebellion within this Realm, to the disturbance of the most happy peace thereof, have lately procured and obtained to themselves, from the said Bishop of Rome and his said See; divers Bulls, and Writings. And setteth forth the effect of the said Bull herein before particularly set forth; and that by colour of the said Bulls, and Writings, the said wicked Persons very secretly, and most seditiously, in such parts of this Realm, where the People for want of Instruction, were most weak, simple, and ignorant, and therefore furthest from the good understanding of their Duty towards God, & the Queen, had by their Leas and subtle Practices, and Persuasions, so far wrought, that sundry persons had been reconciled to the said usurpt Authority of the See of Rome, and did take Absolution at the hands of the said naughty and subtle Practicers; whereby there was grown great disobedience, and boldness in many, not only to withstand, and absent themselves from all Divine Service; but also did think themselves discharged from all Obedience, Duty, and Allegiance to her Majesty, that thereupon most wicked and unnatural Rebellion had ensued, and to the further danger of this Realm, was likely to be renewed, if the ungodly attempts in that behalf, were not by severity of Laws restrained and punished: This Law therefore provides, that they who by Bulls, or other Instruments of the Bishop of Rome; should reconcile any person to the Church of Rome, and those also who should be so reconciled, should incur the Penalty of High Treason. That those who should relieve such as did so reconcile Men, or should bring into England any Agnus Dei's, or any Crosses, Pictures, Beads, or such like vain and superstitious Things, Consecrated by the Bishop of Rome, should undergo the Penalty of a Premunire: That they who should not discover such as did so reconcile, should be guilty of Disposition of Treason.

13 Eliz. ca. 2.  
Rast. Stat. pt.  
2 fol. 138.  
Against bringing in Bulls, &c. from Rome; and reconciling, and being reconciled to the See of Rome.

From the precedent History of Fact, and the Preamble of these two Acts of Parliament, and the Acts themselves, I observe three things.

1. That the Kingdom of England is in it self a Free State; exempt from all Foreign Jurisdiction whatever, by the Common Law of this Kingdom.

2. That there had been deep Designs on foot, before the making of these Acts of Parliament, for the enslaving this Kingdom to the Bishop and See of Rome, subverting the Protestant Religion, and introducing Popery; and in order thereunto, there were several Plots laid to destroy the person of the Queen.

3. That these were all laid and carried on by the Pope, and some Papists that were the Queens own Subjects, and others their adherents, and therefore certainly it must be granted that it was very necessary at that time to make these Laws against the Papists.

And that it was but reasonable to make them, even the Secular Priests themselves have owned in their important Considerations. They confess that *Pius V.* did practise her Majesties sedition; that *Ridolpho* was sent hither by the Pope (under Colour of Merchant) to solicit a Rebellion; That *Pius V.* moved the King of Spain to Joyn in this exploit; That the Bull was devised purposely to further the intended Rebellion, for depriving her Majesty from her Kingdom; That the Pope and King of Spain assigned the Duke of Norfolk to be head of this Rebellion; That the Pope gave order to *Ridolpho*, to take 15000 Crowns to set forwards this Attempt. That some of this money was sent to *Spain*, and some delivered to the Duke; That King *Philip*, at the Pope's Instance, determined to send the Duke of *Alva* into England, with all his forces out of the Low-Countries, to assist the Duke of Norfolk; which they confess in this manner. That these things their adversaries the Protestants Charged on them as true, and that they were in hand until her Majesty dealt so mercifully with them, and therefore ask'd them how they could excuse these designs so Unchristian, so unpiously, so Treacherous, and so unprincipled? To which they answer, that when they first heard the aforementioned particulars, they did not believe them, but would have laid their Lives they had been false; but

The Secular Priests own the Reasonableness of making these Laws. *Collection of several Treatises concerning the reasons and occasions of the Penal-Laws.* The 1st. printed in 1583. the second in 1601. the third in 1662. and all reprinted in 1688. fol. 36.



Q. Eliz.  
Collection. f. 37

when they saw them printed in the Life of Pius V, they appeal to God, they were amazed, and say, they can say no more, but that his Holiness was misinformed, and indirectly drawn to these courses. They confess, that there being several persons in Prison, when the Rebellion in the North before mentioned brake forth, that it was known that the Pope had Excommunicated the Queen, that there followed a great restraint of the Prisoners, but none of them were put to death upon that occasion; the Sword being then only drawn against such Catholicks, as had risen up actually into open Rebellion, wherein, say they, we cannot see what her Majesty did, that any Prince in Christendom, in such a case, would not have done, and confess these things to have been the occasion of making

Collection. f. 38.

13 Eliz. ca. 2. against bringing in Bulls &c. thus they express themselves, we cannot but confess, as reasonable men, that the State had great Reasons to make some Laws against us, except they should have shown themselves careless for the continuance of it, but be the Law, as any would have it, never so extream, yet surely it must be granted, that the occasions of it were most outrageous, and likewise that the Execution of it was not so Tragical, as many have since written and reported of it; for whatsoever was done against us, either upon the pretence of that Law, or of any other, would never we think have been attempted, had not divers other preposterous occasions, besides the Causes of that Law, daily fallen out amongst us, which procured matters to be urged more severely against us. And afterwards they accuse Saunders the Jesuit for writing a Book in 1572, *de visibili Monarchia*, and therein justifying the Excommunicating the Queen, and the said Rebellion in the North, and do themselves own, that the persons that suffered upon that account, were Arraigned, Condemned, and Executed, by the Antient Laws of the Country, for High Treason.

Story's Plot.

Cambd. Hist.

li 2. fol 168.

Dyer. 13 Eliz.

fol. 298.

Baker's Chron.

fol. 343.

The Duke of

Norfolk executed.

As to the Acts themselves, it is not to be denyed, but they are very severe, yet not severe enough to deter the Papists from carrying on their designs against the Queen, and the Protestant Religion, as I shall by and by make appear; but before I do that, let us a little enquire, what proceedings there were upon these Laws after they were thus made.

In the year 1571, 'tis true, one John Story Doctor in Laws, one of the Duke of Alva's Servants, an Englishman, and a Papist, was Executed; but it was for High Treason, (not Religion) for having conspired the Queen's Death, cursed her daily in his Grace at Meals, and shewing the Duke of Alva's Secretary the way to invade England, to put Ireland into Rebellion, and to excite the Scots to break into England all at once.

The Duke of Norfolk was also Tried, Convicted, and Executed, and after his Condemnation, and before his Execution, one Barney and Mather were Executed, for conspiring with one Herle, to make away some of the Council, and to deliver the Duke out of Prison.

14 Eliz. ca. 1.

Raft. Stat. p. 2.

fol. 188.

Divers other Conspiracies and Practices there were, for delivering the Duke, which occasioned a Parliament, and the Parliaments making two Acts. One, that those who should surprize, demolish, or burn any of the Queen's Forts, should be guilty of Felony: And that those who should hold the same by Force against the Queen, burn her Ships, or stop up her Havens, should be guilty of High Treason. Another against such as should conspire or practice the enlargement of any Prisoner committed for High Treason, which as it is Printed by Raftal, is as followeth,

14 Eliz. ca. 2.

Raft Stat. p. 2.

f. 188.

Against Conspiring to deliver

any imprisoned

for Treason.

Forasmuch as great danger may ensue to the Queens Majesties person, and great trouble to the State of the Realm, by unlawful Conspiracies, Devises and Imaginations, to enlarge and set at Liberty such persons as be, or shall be committed to any Prison, Guard or Custody, for any Treason touching the Royal Person of our said Sovereign Lady, against which Devises, Conspiracies and Imaginations, sufficient remedy by the Laws of this Realm, hath not been heretofore had nor provided, unless the same Conspiracies, Imaginations and Devises, were Executed and brought to effect. Be it therefore Enacted by our said Sovereign Lady the Queen, the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, that if any person or persons, at any time after the end of this present Session of Parliament, shall imagine, conspire, devise, invent, or go about unlawfully or maliciously, to enlarge or set at liberty any person or persons committed or to be committed to any prison, guard, or custody, by her Highness's special Commandment, for any Treason or suspicion of Treason, concerning the person of our said Sovereign Lady the Queen, before any indictment of such person so sought or intended to be set at large or liberty, as is aforesaid, and the same conspiracies, imaginations, devises or inventions, shall by express words, writing or other matter, or act, expressly or manifestly set forth, utter or declare, that then every person so offending, shall incur the penalty and forfeiture of Disprision of Treason, and that all and every Offence and Offences to be committed and done, as is aforesaid, shall be deemed and taken for Disprision of Treason.

And be it also Enacted by the Authority aforesaid, that if any person or persons at any time after the end of this present Session of Parliament shall imagine, conspire, devise, invent, or go about unlawfully and maliciously, to enlarge or set at liberty, any person or persons, committed or to be committed to any prison, guard, or custody, being or which hereafter shall be indicted of any Treason in any title, concerning the Person of our said Sovereign Lady the Queen, and the same conspiracies, imaginations, devises, or inventions, shall by express words, writing or other matter or act, expressly or manifestly set forth, utter or declare, that then



then every such person so offending, shall be deemed and adjudged a Felon, and suffer, lose, and forfeit, as in cases of Felony, by the due course of the Laws of this Realm.

And be it further Enacted by the Authority aforesaid, that if any person or persons at any time, after the end of this present Session of Parliament, shall imagine, conspire, devise, intend, or go about unlawfully and maliciously, to enlarge or set at liberty, any person or persons, being committed to any prison, guard or Custody, after the same person or persons is, or shall be attainted or convicted of any Treason in any wise concerning the Royal Person of our said Sovereign Lady the Queen, and the same conspiracies, imaginations, devices or intentions, shall by express words, written matter, or act, as is aforesaid, set forth, utter or declare, that then every person so offending, shall be deemed and adjudged an High Traitor, and shall suffer, lose, and forfeit, as in cases of High Treason by the Laws and Statutes of this Realm: This Act was to indure during the Queen's Majesties Life only.

In the year 1572, the Earl of Northumberland was also Executed for his Treason in the Northern Rebellion before mentioned. But I find, that altho' several Persons were apprehended for offending against 13 Eliz. 2. which was made against bringing in Bulls, *Agnus Dei*, &c. as private Tokens of Papal Obedience, and against reconciling any to the See of Rome, yet not one was Executed till 1577, which was almost twenty years after the Queen's Accession to the Crown. Cambd. Annals fol. 188. Baker's Chron. f. 347.

The first that was convicted upon this Law, was one *Cuthbert Mayne*, a Priest, who being an obstinate Maintainer of the Pope's Power against his Princess, was put to Death at *St. Stephens Fane*, commonly called *Launston* in *Cornwel*, and one *Trugion* a Gentleman, that had harboured him, was turned out of his Estate, and condemned in perpetual Imprisonment; and after him *Hanse* and *Nelson*, and one *Sherwood*, all for maintaining that the Queen was a *Schismatick* and *Heretick* and ought to be Deposed, so that from the time of making 13 Eliz. ca. 2. in 1571, to this year of 1577, fair and calm weather shone upon the Papists in England, who, by a merciful connivance, served God according to their own way of Worship, in their private Houses, in a manner without any Punishment, altho' it were prohibited by the Law, by which a pecuniary Mulct was to be inflicted on them; neither did the Queen in all this time offer violence to their Consciences, nor was she easily to be induced to believe any thing amiss of the people, much less to inflict punishments upon them, for differing in Opinion; being wont to say, *That she could believe nothing of her people, which Parents would not believe of their Children.* Cambd. Annals, f. 224, 225.

And was not this Clemency and Kindness sufficient to prevail with the Papists, to leave off their *Plots* and *Contrivances* against her and the Protestant Religion? Were not these Laws severe enough to keep them within the bounds of their Duty? Will neither Love allure them to Obedience, nor threatnings upon so severe penalties, as the loss of Life and Estate, deter them from offending? one might reasonably have expected it. But instead thereof in 1578, for invading *Ireland* and *England* both at once, and deposing of *Q. Elizabeth*, (who was the strongest Bulwark of the Reformed Religion) both the *Spaniard*, and *Gre-  
go* the thirteenth Bishop of *Rome*, entred into a Confederacy, at and by the instigation of one *Thomas Steukly*, a Fugitive, herein before mentioned, but that design by the Providence of God being defeated, Steukly's Plot. Cambd. Annals f. 230. Baker's Chron. f. 354.

In the year 1579, one *James Fitz-Morris*, a Fugitive, raised a Rebellion in *Ireland*, the same *James*, who had not long before been in a Rebellion, and was upon his submission (having most religiously vowed his Fidelity and Obedience to the Queen) pardoned. He having (at the earnest solicitations of *Saunders*, an English Priest, and *Allen* an Irish one, both of them Doctors in Divinity) gotten a little Money of the Pope; the Authority of a Legate granted to *Saunders*; a consecrated Banner, and Letters of recommendation to the *Spaniard*; went to *Spain*, and thence into *Ireland*; where he landed the first day of July, with those two Romish Priests, three Ships, and a small body of men, who were all soon disperst, and *Fitz Morris* slain. Fitz-Morris his Plot. Cambd. Annals, f. 336.

There is one story, relating to this Rebellion, that for the Cruelty of it, I can't let pass: As soon as the Lord Deputy had certain intelligence of *Fitz-Morris* his being landed, he commanded the Earl of *Desmond*, and his Brothers jointly, by *Henry Davil* an English Gentleman, and a stout Souldier, and very familiar with the *Desmonds*, that they should forthwith assault the Fort; which when they shifted off, as a thing full of Danger, *Davil* departed, in order to obey the Deputy's Commands, and *John Desmond* followed after him; at *Trally*, a small Town, he overtook him at his Inn, and in the dead of the night, having corrupted his Host, broke into his Chamber, with certain Cut-Throats, having their Swords drawn, where *Davil* slept securely, with *Arthur Carter*, Lieutenant to the *Marshal of Munster*, a stout old Soldier; but being awakened with the noise, when he saw *John Desmond* in the Chamber with his Sword drawn, he raised himself up, saying, what's the matter my Son? (for so he was wont familiarly to call him,) I will no longer be thy Son, (says he) nor shalt thou be my Father, thou shalt dye; and therewithal they slew both him and *Carter* that lay with him, stabbing them in many places, after that *Davil's* Lackey, by interposing his naked body, had done the best he could, for a while, to



**Q Eliz.**  
 \*They were then  
 engaged in a  
 Conspiracy for  
 the Subversion of  
 the Protestant  
 Religion.  
 Desmond car-  
 ries on the Re-  
 bellion.  
 Camb. Annals,  
 f. 238, 239,  
 240.  
 Baker's Chron.  
 f. 355.

to defend his Master, and had receiv'd some wounds: then he flew all Devil's Servants, one after ano-  
 ther, who were lodged here and there in several Chambers, and so returning all begored with Blood, he  
 boasted amongst the Spaniards of the Murther: And let this (said he) be a pledge to you of my faithfulness to-  
 wards you, and the Cause you are engaged in. This Fact Saunders commended as a sweet Sacrifice in the  
 sight of God. This may be a warning to all Protestants, how they enter into any familiar Friendship with  
 Papists, or trust them, seeing when they butcher them they think they do God good Service, and offer  
 up their Blood to him as an acceptable Sacrifice, and seeing, that 'tis their avowed Principle, that no  
 Faith is to be kept with Hereticks, as they esteem Protestants of all persuasions to be.

This Rebellion ended not with John Fitz-Morris; but was, after his death, carried on by John Desmond, and  
 notwithstanding the Earl of Desmond had promised Drury, then Lord Deputy, his fidelity and obedience to  
 the Queen, and bound himself by Oath, that both himself in person, and his would serve her against the  
 Rebels, yet he afterwards pulled off his Vizard, and openly went over to the Rebels, and the Lord De-  
 puty dying, and the Council of Ireland having made Sir William Pelham Justicer of Ireland, he admonished  
 the Earl of Desmond, and demanded the delivery up of Saunders, the Foreign Souldiers, and the Castles  
 of Carigo Foyle and Asketten, but he refusing, was Proclaimed a Traytor, and guilty of High Treason, for  
 having dealt with Foreign Princes for the Conquest and Destruction of his Native Country, reliev'd Sau-  
 ders and James Fitz-Morris Rebels, harboured the Spaniards which escaped out of the Fort at Smerwick,  
 hanged up divers faithful Subjects, displayed the Pope's Banner against the Queen, and brought Foreign-  
 ers into the Realm: And then the Lord Justicer committed the prosecution of the whole War to Ormond,  
 which he prosecuted so vigorously, that this Desmond and his Brethren were forced to lurk and hide their  
 heads, yet they added so much Popish Impudence to their former base Treachery and Perfidiousness, that  
 they signified to the Lord Justicer in a long Letter, that they had undertaken the protection of the  
 Catholick Faith (i. e. Popery) in Ireland, and that by Authority from the Bishop of Rome, and direction of the  
 Catholick King (i. e. the King of Spain) and therefore they do kindly advise him to joyn with them in so  
 pious and meritorious a Cause, for the Salvation of his own Soul! O horrid Impiety! To make the commit-  
 ting Treason, Rebellion, Murder, Rapine, and all manner of Cruelties, to be the direct way to Heaven.

Camb. Annals,  
 f. 241, and 256.  
 Another Conspi-  
 racy in Ireland,  
 for the destruc-  
 tion of the Prote-  
 stant Religion.

Arthur Lord Grey, in the year 1580, being made Lord Deputy of Ireland, after a great deal of blood spilt,  
 happily suppress'd that Rebellion, which he had no sooner done, but another dangerous Conspiraey was de-  
 tected and crush'd in the Bud, for divers of Noble Families in Leinster, most of them descended of English  
 Blood, partly out of Affection to the Romish Religion, and partly out of hatred against the new English, had  
 conspired together, to surprize the Lord Deputy with his Household, to take the Castle of Dublin at unawares  
 (where all the Provision for War lay) and to put the English in Ireland every man to the Sword: And so  
 close they were in carrying on their Conspiracy, that they never confer'd or discours'd about it more than  
 two and two together. But amongst so many that were privy to it, it came at last to light, and was by the  
 Execution of a few timely prevented.

Colledges fra-  
 med abroad, for  
 breeding up Se-  
 minary Priests  
 to be sent hither  
 to alienate the  
 hearts of the  
 Queens Subjects  
 from her.  
 Camb. Annals,  
 f. 244, 245.  
 Baker's Chron.  
 f. 356.

These Plots and Conspiracies not answering the Designs of the Papists: To the intent, that they might  
 the more effectually carry on their Treasons and Conspiracies for the future, in order to the Extirpation  
 of the Protestant Religion out of the Queen's Dominions, and the introducing Popery in its room: They  
 thought it very necessary, to alienate the Hearts of the Queen's Subjects from her, by the secret and craft-  
 y insinuations of Priests and Jesuits: and that they might be furnish'd with enough for that end, even of  
 the Queens own Subjects, certain English Priests who had fled into the Netherlands for their Treasons  
 committed here, by the procurement of the Romish Parry, formed themselves into a Collegiate Form of  
 Government at Doway, and to these the Pope allowed a yearly Pension: But Tumults arising in the Low  
 Countries and the English Fugitives being commanded by the King of Spain's Deputies to depart from  
 thence, other the like Colledges for the training up of the English Youth, were erected; one at Rheimes  
 by the Guises, and another at Rome by Pope Gregory the 13th, which always afforded new Supplies of Priests  
 for England when the old ones failed, whose business it was, privately to spread the Seeds of Popery here  
 amongst us: From whence the Colledges had the name of Seminaries, and they called Seminary Priests,  
 who were bred up in them: In these Seminaries, amongst other disputations it was concluded, that the  
 Pope hath such fulness of Power by Divine Right, over the whole Christian World, both in Ecclesiastical  
 and Secular Matters, that by virtue thereof, it is lawful for him to Excommunicate Kings, absolve their  
 Subjects from the Oath of Allegiance, and to deprive them of their Kingdoms.

Out of these Seminaries, were sent forth into divers parts of England, and Ireland, at first, a few young  
 men, and afterwards more, according as they grew up, who were entered over-hastily into holy Orders,  
 and instructed in the above mentioned Principles. They pretended only to administer the Sacraments of  
 the Romish Religion, and to preach to Papists; but the Queen and her Council soon found, that they were  
 sent over, underhand, to seduce the Subjects from their Allegiance, and Obedience due to their Prince; to  
 oblige them by reconciliation, to perform the Pope's Command, to stir up intestine Rebellions, under the  
 Seal of Confession, and finally to execute the Sentence of Pius V. against the Queen; to the end, that Way  
 might be made for the Pope, and the Spaniard, who had designed the Conquest of England.

To these Seminaries, were sent daily out of England by the Papists, in contempt and despite of the  
 Laws, great numbers of Boys, and young Men of all sorts, and admitted into the same, making a Vow to  
 return into England; Others also crept secretly from thence into the Land, and more were daily expect-  
 ed with the Jesuits, who at that time came first into England. This occasioned the Queen to issue out a

Camb. Annals,  
 f. 245.  
 Collection, f. 42.

Proclamation. That whosoever had any Children, Wards, Kinsmen, or other Relations, in the parts be-  
 yond the Seas, should after 10 days give in their Names to the Ordinary, and within four Months call  
 them home again, and when they were returned, should forthwith give notice of the same to the said  
 Ordinary. That they should not directly, or indirectly supply such as refused to return with any Money.  
 That no man should entertain in his House, or harbor any Priests sent forth from the aforesaid Semina-  
 ries, or Jesuits, or cherish and relieve them, and that whoever did to the contrary, should be accounted  
 a favourer of Rebels, and Seditious Persons, and proceeded against according to the Laws of the Land.

Camb. Annals,  
 f. 246.

Before such time as this was proclaimed, the Papists pretended, that they were sensible too late of the  
 Inconveniences by the said Bulls, and that they were ill pleased, that ever it came forth: A defence of  
 the same written by the said Nicholas Sanders, they cunningly suppress'd, and prohibited the Question con-  
 cerning the Power of the Bishop of Rome in Excommunicating, and Deposing of Princes, to be publicly  
 disput'd: Which notwithstanding, broke forth every day hotter and hotter amongst them.



Robert Parsons also and Edmund Campian English-Men, and of the Society of Jesus, being now ready to come over to advance the Romish affairs in England, obtained Power from Gregory the Thirteenth Bishop of Rome, for moderating that severe Bull, and that in these words: Let there be humbly prayed of our most Holy Lord (who is generally the most wicked of the whole Court of Cardinals) an Explanation of the Bull Declaratory, set forth by Pius the V. against Elizabeth and her adherents (to give her the Title of Queen after she was excommunicated, would have been to disown their own Doctrine of the Lawfulness to depose and kill Princes.) which Bull, the Catholics (i.e. the Romish Rebels and Traytors) do desire, may be understood in this manner, that it may always bind Her, and the Hereticks (i.e. the Protestants and their Protestant Queen) but in no way the Catholics as matters now stand (for they were wise enough to carry on their Cruel Designs, and knew well enough that whatever Cruelties they used they should be commended for it, whether they had any orders for it or not) but only hereafter when publick Execution of the said Bull may be had (they doubted not of effecting their enterprize for washing their hands in the Blood of the Protestants); these Graces aforesaid, the Bishop hath granted to Father Robert Parsons, and Edmund Campian, who are now to take their Journey into England, the Fourteenth day of April, 1580. in the Presence of Father Oliver Manarcus Assistant.

This Parsons was of Somerset-shire, a violent, fierce natur'd Man, and of rough behaviour, Campian was a Londoner, of a sweet disposition, and a well polish'd Man, both of them were, by Education Oxford Men, and known there to Camden himself, as he avers; Campian being of St. John's Colledge, bare the Office of Proctor of the University, in the Year 1568. and being made Deacon, made a shew of the Protestant Religion, he withdrew himself out of England, (they can turn themselves into all shapes, to carry on their Barbarous and Cruel Conspiracies against the Protestants, and the true Religion which they profess: Modern Instances of this we have not in few.) Parsons was of Balliol Colledge, wherein he openly professed the Protestant Religion, until he was for his loose carriage Expell'd with disgrace, and went over to the Papists, (and it hath been observed by many, and that very truly, that they who go over from the Protestant to the Popish Religion, are generally Men of very vicious and loose Lives:.) These two coming privately into England, Travelled up and down the Country, and to Popish Gentlemens Houses, covertly, and in the disguised Habits, sometimes of Souldiers, sometimes of Gentlemen, sometimes of Ministers of the Word, and sometimes of Apparitors, diligently performing what they had in Charge, both in word and writing: Parsons who was Constituted Superior, being a Man of a Seditious and Turbulent Spirit, and Armed with a Confident Boldness, tampered so far with the Papists about deposing the Queen, that some of them (Camden saith, he speaks upon their own Credit,) thought to have delivered them into the Magistrates hands; Campian the more modest, yet by a written Paper, Challenged the Ministers of the English Church to a Disputation, and published a Neat well bound Book in Latine, called, Ten Reasons in Defence of the Doctrine of the Church of Rome: And Parsons put out another virulent Book in English against Clark, who had soberly written against Campian's Challenge; but to Campian's Reasons, Whitaker gave a solid Answer. Campian himself was taken a Year after, and put to the Rack, and afterwards being brought forth to Dispute, he scarcely answered the expectation raised of him.

Neither wanted there others also of the Popish Faction (for Religion was then grown into faction, as it was very lately here in England) who Laboured Tooth and Nail at Rome, and elsewhere in Princes Courts, to raise War against their own Country: Yea, they published also in Print, that the Bishop of Rome and the Spaniards had Conspired together, to Conquer England, and expose it for a Spoil and Prey. And this they did on purpose to give Courage to their own Party, and to terrifie others from their Alliance to their Prince and Country. This forced a Manifesto from the Queen, wherein (after acknowledgmen of the goodness of God towards her,) She declar-eth, that she had attempted nothing against any Prince, but for preservation of her own King- dom; nor had she invaded the Provinces of any other; she had been sundry times threatened both by Injuries, and invited by Oppressionaries, that if any Prince go about to attempt ought against her, she doubts not but to be able (by the Blessing of God) to defend her People, and to that purpose she had mustered her Forces, both by Sea and Land, and had them now in readiness against any Hostile Invasion; her faithful Subjects she desired, to continue immovable in their Allegiance, and Duty towards God, and their Prince, their Master of God, (not their absolute Supream Lord, to dispose of them and theirs according to will and pleasure,)

**Q. Eliz.**  
Parsons and Campian sent into England by the Pope, to promote the Popish interest here.  
The Faculties themselves are Printed verbatim in English and Latin, by the L. Burligh, in his Examination for Treason. Col. f. 12, & 13.  
And by Foulis in his History, f. 337.  
The Character of Parsons and Campian, Cambr. An. f. 246. Bakers Chron. f. 356.

Camb. Annals.  
If: 247.



Q. Eliz.

the rest who had shaken off their Love to their Country, and their Obedience to their Prince, she commands to carry themselves modestly and peaceably, and not provoke the severity of Justice against themselves; for she would no longer be so imprudent, as by sparing the Bad, to prove cruel to her self and her good Subjects.

By this Manifesto all Men may see how tender and compassionate the Queen was to her worst Subjects, even them who had renounced their Allegiance to her, and very hardly was she brought to put the Laws in Execution against them, although they so justly deserved it, of which take the following account from Mr. Camden.

Camb. Annals  
f. 270.

The Queen, to take away the fear which had possessed many Minds, that Religion would be altered, and Popery tollerated, being overcome by importunate Intreaties, permitted, (not furiously Commanded, as if she thirsted after Blood) That Edmund Campian, afore said, of the Society of Jesus, Ralph Sherwin, Luke Kirby and Alexander Briant, Priests, should be Arraigned; who being Indicted upon the Act for Treason made 25 Ed. 3. and charged to have compassed and imagined the destruction of the Queen and Realm, to have adhered to the Bishop of Rome, the Queens Enemy, to have come into England to disturb the Peace and Quiet of the Realm, and to have raised forces to that end, were condemned to dye; and persisting obstinately to defend the Popes Authority against the Queen, were Executed; And not for professing the Popish Religion, or exercising it barely, as some of the Romanists and a few ignorant Protestants pretend: For Campian, after he was condemned, being askt first, whether Queen Elizabeth were a true and lawful Queen? refused to answer, then whether he would take part with the Queen, or the Pope if he should send Forces against the Queen? he openly professed, and testified under his hand, that he would stand for the Pope. Afterwards some others also were Executed for the same Reasons, whereas in full ten Years time after the Northern Rebellion, there had been no more then five Papists put to death.

But five Pa-  
pists put to  
death in ten  
Years.

But such now were the times, that the Queen (who never was of opinion that Mens Consciences were to be forced) complained many times, that she was driven of necessity, to take these Courses, unless she would suffer the ruin of her self and her Subjects, upon some Mens pretence of Conscience and the Catholic Religion (i. e. the Abby Lands and a Cardinals Cap) yet for the greater part of these silly Priests, she did not at all believe them guilty of Plotting the destruction of their Country; but their Superiors were they, she held, to be the Instruments of this villany; for these inferior Emissaries committed the full and free dispose of themselves, to their Superiors: And when those of the Superiors that were then and afterwards taken, were asked, whether by the Authority of the Bull of Pius V. Bishop of Rome, the Subjects were so absolved from their Oath of Allegiance towards the Queen, that they might take up Arms against her? whether they thought her to be a lawful Queen? whether they would subscribe to Saunders and Bristow's opinion, concerning the Authority of that Bull? whether, if the Bishop of Rome should wage War against the Queen, they would joyn with her or him? they answered, some of them so ambiguously, some so resolutely, and some by prevarication or silence shifted off the matter, in such a manner, that divers ingenious Papists (which are rare to find in this age) began to suspect they fostered some treacherous disloyalty; and John Bishop, a Man otherwise devoted to the Bishop of Rome, wrote against them, and solidly proved, that that Constitution obtruded under the Name of the Lateran Council, upon which the whole Authority of absolving Subjects from their Allegiance, and depoling Princes is founded, is no other, then a Decree of Innocent the III. and was never admitted in England; yea that the said Council was no Council at all, nor was it at all there decreed by the Fathers. But of the Priests themselves, owning all this I shall give a further account hereafter.

Camb. Annals  
f. 271.  
Lord Burleigh  
saith the same  
thing, Collecti-  
on. f. 28.

Suspensions were daily increased, by the great number of Priests, creeping more and more into England, who privately felt the Minds of Men, spread abroad, that Princes Excommunicate were to be deposed (notwithstanding their former prohibition of Preaching that Doctrine) and whispered in Corners, that such Princes as professed not the Romish Religion had forfeited their Regal Title and Authority; that those who had taken holy Orders, were by a certain Ecclesiastical priviledge, exempted from all jurisdiction of Princes; and not bound by their Laws; nor ought they to reverence, or regard their Majesty, that the Bishop of Rome hath supreme Authority, and absolute Power over the whole World, yea in Temporal Matters; that the Magistrates of England were no lawful Magistrates; and therefore not to be accounted for Magistrates; yea that whatsoever was done by the Queens authority since the time the Bull declaratory of Pius V. was published against her, was by the Laws of God and Man, alto-  
gether

Camb. Annals  
f. 272.The Popish Re-  
vellers spread a-  
broad.



gether void; and to be esteemed as of no validity; and some of them were not ashamed to own, that they were returned into *England* with no other intent, then by reconciling Men at Confession, to absolve every one particularly from all his Oaths of *Allegiance* and *Obedience* to the Queen, just as the said Bull did absolve them all at once, and in general. And this seemed the easier to be effected, because they promised withal absolution, from all Mortal sins; and the safer, because it was pronounced more closely, and under the Seal of Confession.

On the 16th day of *January* 1580. The Parliament, being the time to which the same had been Prorogued, and the 25th day of *January* Sr. *Walter Mildmay* made an excellent Speech, a great part of which, because it will give a confirmation, to what hath been before said, and evince the reasonableness of the Law, that was made in that Session of Parliament, against the *Papists*, I have here inserted, as it is in Sir *Simon D. Ewes* his Journal, published by *Paul Bowes* Esquire.

Sir Simon D' Ewes his Journal of the House of Commons. p. 256.

The Principle Cause of our Assembly here, being to consult of Matters that do concern the Realm, I have thought good with your Patience, to remember you of such things, as for the weight and necessity of them, I take to be worthy of your consideration, wherein I mean to note unto you, what I have conceived; first of the present state we be in, next of the Dangers we may justly be in doubt of; And lastly, what provision ought to be made in time to prevent or resist them; these shewed as briefly as the Master will suffer, I leave to your Judgment to proceed further as you shall find it Expedient.

Sir Walter Mildmay's Speech. Sir Simon D' Ewes. f. 284.

That our most Gracious Queen, did at her first Entry loosen us from the Yoke of Rome, and did Restore unto this Realm the most pure and holy Religion of the Gospel, which for a time was overshadowed with Popery, is known of all the World, and felt of us to our singular Comfort. But from hence as from the Root, hath sprung that implacable Malice of the Pope, and his Confederates against her, whereby they have and do not seek only to trouble, but if they could, to bring the Realm again into a Thralldom; the rather for that, they hold this as a firm and settled opinion, that England is the only settled Monarchy that most doth maintain and countenance Religion, being the chief Sanctuary for the afflicted Members of the Church, that fly thither from the Tyranny of Rome, as Men being in danger of Shipwrack, do from a raging and tempestuous Sea to a calm and quiet Haven. This being so, what hath not the Pope assayed to annoy the Queen and her State, thereby as he thinketh to remove this great obstacle, that standeth between him and the overflowing of the World again Popery, for the proof whereof these may suffice.

Note, These things were spoke soon after they happened whilst they were fresh in memory.

The Northern Rebellion stir'd up by the Pope, and the Quarrel for Popery.

The Maintenance subsistence of those Rebels and other Fugitives.

The Publishing of a most Impudent, Blasphemous and Malicious Bull against our most rightful Queen.

The Invasion into Ireland by James, Fitz Morris, with the obstinacy of some English Rebels.

The raising of a dangerous Rebellion in Ireland, by the Earl of Desmond and others, intending thereby to make a general Revolt of all the whole Realm.

The late Invasion of Strangers into Ireland, and their fortifying it.

The Pope turned thus the Venom of his Curses, the Pens of his malicious Parasites into Men of War and Weapons, to win that by force, which otherwise he could not do. And though all these are said to be done by the Pope, and in his Name; yet who seeth not, that they be maintained under hand by some Princes his Confederates? And if any Man be in doubt of that, let him but note from whence the last Invasion into Ireland came, of what Country the Ships, and of what Nation the most part of the Souldiers were, and by direction of whose Ministers they recovered their Victuals and Furniture.

For the Pope of himself at this present is far unable to make War upon any Prince of that Estate which Her Majesty is of; having lost as you know many years by the Preaching of the Gospel, those infinite Revenues, which he was wont to have out of England, Scotland, Germany, Switzerland, Denmark and others, and now out of France and the Low Countries, so as we are to think that his Name only is used, and all or the most part of the Charge born by others.

The Queen nevertheless, by the Almighty Power of God, standeth fast, manageth the Pope and all his Friends; having hitherto resisted all Attempts against her, to her great Honour and their Shame, as the Rebellion in the North suppressed without Effusion of Blood, wherein her Majesty may say as *Caesar* did, *Veni, Vidi, Vici*, as expedite and as honourable was the Victory that God did give her, by the Diligence and Valour of those Noble Men that had the conducting thereof. The enterprise of James Fitz Morris defeated and himself slain.

about 1580



Q. Eliz.

The Italians pulled out by the Ears at Smirwick in Ireland, and cut in pieces, by the notable Service of a noble Captain, and valiant Souldiers.

Neither these nor any other Threatnings or Fears of Danger, hath or doth make her to stagger or relent in the Cause of Religion, but like a constant Christian Princess, she still holdeth fast the Profession of the Gospel, that hath so long upholden her, and made us to live in Peace, twenty two years, and more under her most gracious Government, free from those Troubles that our Neighbours have felt; so as this now seemeth to be our present State, a Blessed, Peaceable, and happy Time, for the which we are most bound to God, and to pray unto him for the continuance thereof.

But yet notwithstanding, seeing our Enemies sleep not, it becometh us not to be careless, as tho all were past, but rather to think that there is but a piece of the Storm over, and that the greater part of the Tempest remaineth behind, and is like to fall upon us, by the Malice of the Pope, the most capital Enemy of the Queen and of this State, the Determinations of the Councils of Trent, and the Combinations of the Pope with other Monarchies and Princes devoted unto Rome, assuring our selves, That if their Powers be answerable to their Wills, this Realm shall find at their Hands, all the Miseries and Extremities that they can bring upon it. And though by the late good Success, which God hath given in Ireland, these leud and malicious Enterprises seem for a time to be as it were at a stand; yet let us be assured, that neither their Attempts upon Ireland, neither the Mischief intended against England, will cease thus; but if they find us negligent, they will be ready with greater Forces then have been yet seen. The certain Determination which the Pope and his combined Friends have to root out the Religion of the Gospel in all Places, and to begin here as their greatest Impediment, is Cause sufficient to make us the more vigilant, and to have a wary Eye to their Doings and Proceedings, how smoothly soever they speak or dissemble their Friendships for the time, for let us think surely, that they have joyned Hands together against us, and if they can, they will procure the Sparks of the Flames that have been so terrible in other Countreies, to fly over into England, and to kindle as great a Fire here. And as the Pope by open Hostility, as you see, hath shewed himself against her Majesty, so the better to answer in time the Purposes that he hath set down in the mean Season, till they may come to Ripeness, he hath and doth by secret Practices within the Realm, leaving nothing unprovided, emboldning many undutiful Subjects to stand fast in their Disobedience to her Majesty and her Laws. For albeit, the pure Religion of the Gospel hath had a free Course, and hath been freely preached now many Years within this Realm, by the Protection of Her Majesties most Christian Government; yet such have been the Practices of the Pope and his secret Ministers, as the obstinate and stiff-necked Papist is so far from being reformed, as he hath gotten Stomach to go backward, and to shew his Disobedience, not only in arrogant Words, but also in contemptuous Deeds.

To confirm them herein, and to increase their Number, you see how the Pope hath and doth comfort their hollow Hearts with Absolutions, Dispensations, Reconciliations, and such other things of Rome. You see how lately he hath sent hither a sort of Hypocrites, naming themselves Jesuits, a Rabble of Vagrant Fryars, newly sprung up, and running through the World, to trouble the Church of God; whose principal Brand, is by creeping into the Houses of Men of Behaviour and Reputation, not only to corrupt the Realm with false Doctrine, but also under that Presence, to stir up Sedition, to the Peril of Her Majesty and her good Subjects. How these Practices of the Pope have wrought in the disobedient Subjects of this Land, is both evident and lamentable to consider; for such Impressions hath the Estimation of the Popes Authority made in them, as not only those, which from the Beginning have refused to obey, but many, yea, very many of these, who divers years together, did yield and conform themselves in their open Accounts, since the Decrees of that unholy Council of Trent, and since the publishing and denouncing of that Blasphemous Bull against Her Majesty, and since those secret Absolutions and Reconciliations, and the swarming hither of a number of Papish Priests and Monkish Jesuits, have, and do utterly refuse to be of our Church, or to resort unto our Preaching and Prayers. The sequel whereof must needs prove dangerous to the whole State of the Commonwealth.

By this you see what Cause we have justly to doubt great Mischief threatened to this Realm, and therewith you may easily see also, how far the preventing and murthering of the same, it becometh her Majesty, not only to provide in time, sufficient Laws for the continuing of this Peaceable Government, but also to be ready with Forces to repress all Attempts that may be entertained either by Enemies abroad, or by evil Subjects at home.

\* The Church of England.

What Difference there is between the Popes Persecuting Church, and this Mild Church of England, hath been seen in all Ages, and especially in the late Government, compared with the former of Her Majesties Reign. The Continuance of which Clemency, is also to be misused, so far as may stand with Gods Honour, and the Safety of the Realm. But already long

proof



proof, we find that this favorable and gentle Manner of Dealing with the Disobeyers and Contemners of Religion, to win them by fair Means, if it were possible, hath done no good, but hath bred in them a more arrogant and contemptuous Spirit, so as they have not only presumed to disobey the Laws and Orders of the Realm, but also to accept from Rome secret Absolutions, Reconciliations and such like; and that by the Hands of lewd Runnagates, Priests and Jesuits, harbouring and entertaining them even in their Houses, thereby shewing an Obedience to the Pope, by their Direction; also nourishing and training up their Children and Kinsfolks, not only at home, but also abroad in the Seminaries of Popery. Now, I say, it is time for us to look more narrowly and strictly to them, least as they be corrupt, so they prove dangerous Members to many both within the Entrails of our Common-wealth.

And seeing that the Lenity of the Time, and the Mildness of the Laws heretofore made, are no small Cause of their arrogant Disobedience, 'tis necessary that we make a Provision of Laws, more strict, and more severe, to constrain them to yield their open Obedience, at the least, to her Majesty, in Causes of Religion, and not to live as they list, to the perillous Example of others, and to the encouraging of their own evil affected Minds; but if they will needs submit themselves to the Benediction of the Pope, they may feel how little his Curses can hurt us, and how little his Blessings can save them from that Punishment, which we are able to lay upon them; letting them also find, how dangerous it shall be for them to deal with the Pope, or any thing of his, or with those Romish Priests and Jesuits; and therewith, also how perillous it shall be for those Seditious Runnagates to enter into the Land, to draw away from Her Majesty that Obedience, which by the Laws of God and Man, are due unto her.

This then is one of the Provisions which we ought to take care of in this Council, whereby we may both enjoy still that happy Peace we live in, and the Pope take the less Boldness to trouble us, by any Favour he shall find here.

Therefore, seeing the Malice of the Pope and his Confederates are so notorious unto us, and seeing the Dangers be so great, so evident, and so imminent, and seeing that Preparations to withstand them, cannot be made without support of the Realm, and seeing that our Duty to God, our Queen and Country, and the Necessity that hangeth upon our own Safeguards, be reason sufficient to persuade us; let us think upon these Matters as the Weight of them deserveth, and so provide in time, both by Laws to restrain and correct the evil affected Subjects, and by Provision of that which shall be requisite for the Maintainance of Forces, as our Enemies finding our Minds so willing, and our Hands so ready, so keep in order our Country, and so furnish her Majesty with all that shall be necessary, may either be discouraged to attempt any thing against us, or if they do, they may find such Resistance, as shall bring Confusion to themselves, Honour to our most Gracious Queen, and Safety to all of us.

Mr. Norton seconding the Motion, it was referred to a Committee to prepare Bills.

And that Session there was an Act of Parliament made, that is intituled, *An Act to repair the Queens Majesties Subjects in their due Obedience*; which Act recites, That, where since the making of the 13th. of the Queen, Ca. 2. divers evil affected Persons have promised, contrary to the meaning of the said Statutes, by other means then by Bulls, or Instruments written or printed, to withhold divers the Queens Majesties Subjects from their natural Obedience to Her Majesty, and to obey the usurped Authority of Rome, and in respect of the same, to persuade great Numbers to withhold their due Obedience to Her Majesties Laws, established for the due Service of Almighty God.

It is thereby enacted, that they should be guilty of High Treason, who should withhold the Subjects from their Obedience to their Prince, and from the Religion established in England, or should reconcile them to the Church of Rome; as also those who should be dissuaded or reconciled; those also who should say Mass, were to be fined 200 Marks, and to suffer Imprisonment for a Year, or longer, if they paid not the Money; they who should be wittingly and willingly present at Mass, were to be fined 100 Marks, and to suffer Imprisonment likewise for a Year; and they who refused to frequent Divine Service, are to forfeit 20 Pounds a Month; but there must in every Case a legal Conviction precede.

23 Eliz. ca. 1.  
Rast. Stat.  
2. part f. 243.

Treason in Reconciler and Reconciled to the Church of Rome.

From the History of the Papists Conspiracies, and the Queens Carriage towards them, during these last ten Years, whereof I have given an Account, I cannot but observe.



Q. Eliz.

1. That the *Papists* are a most perverse and disingenuous Generation of Men, who never have lived, (nor is it to be believed ever will) in Obedience to any Prince who is not of their own Religion.

2. That, notwithstanding their many Treasons and Rebellions in *England* and *Ireland* against *Queen Elizabeth*; yet, in ten years time, there were not above five executed upon any of the Penal Laws made against them; and that she was hardly prevailed upon to execute any of them, although for the most apparent Treason; and would not have yielded, but that it appeared necessary, for the Preservation of her self, her Protestant Subjects, and the Protestant Religion.

3. That therefore the Penal Laws were not made so much with design to offend the *Papists*, as to defend the Queen and her Government from the Treasons, Rebellions, Outrages and Violences every where committed by the *Papists*, stirred up and egged on by the *Seminary Priests*, *Jesuits*, and sent hither for that very Purpose.

4. That notwithstanding all their Plots and Contrivances, there was no restraint upon their exercising their Religion in their own private Families; nor no Prohibitions of saying or hearing Mass, till this last Act of Parliament was made; which was extorted from the State by their horrid Abuse of their former Liberty.

So that he that denies the Reasonableness of those Penal Laws against *Papists*, must (one would think) offer Violence to his own Reason.

But yet least the *Papists* should object, and any weak Protestant think, with too great Colour of Reason, that these Facts are the Relation of Protestant Historians, who will be sure to write all things with the greatest plausibleness and shew of Reason and Justice on their own side, and will be sure to blacken and villifie the *Papists* as much as they are able, although they have never so little reason so to do.

I shall, to back what I have related from our own *Historians*, and to convince all mankind that it is true, subjoyn what the *Secular Priests* themselves, in their important Considerations have owned, was the true ground and reason of making this Act of Parliament, of 23 *Eliz. Cap. 1.* and because the *Papists* shall not say I bely, misconstrue or misrepresent them, take it in their own Words.

Col. f. 39.  
The Secular  
Priests Con-  
fession.  
Of the Pope  
the Spaniard  
and Duke of  
Norfolk's  
Plot.  
Steukley's  
Plot.

The Pope's In-  
vading Ireland  
in 1579.

The Queen Ex-  
communicated  
by Gregory  
13th.

Parsons and  
Campions  
coming into  
England in  
1580.

Furthermore, about the coming out of the said Book of Mr. Saunders, (they had been in the Paragraph before complaining of Mr. Saunders his Writing a Book, De visibili Monarchia, whereby he justified the Bull of Pope Pius Quintus, and the Rebellion in the North, and many other such like things) the whole Plots before mentioned of the Pope, and the

King of Spain; with the Duke of Norfolk, for the Disinheritance of her Majesty, and other intended Mischiefs, fell out to be fully disclosed; afterwards, within some four or five years, it was also commonly known to the Realm, what Attempts were in hand

by Mr. Steukley (assisted with Mr. Saunders, and other Catholics, both English, Irish and Italians) for an Enterprize by force in Ireland, under a pretence to advance the Catholic Religion, which for that time (through some Defect) succeeding not, the

Pope himself, in the Year 1579. (abused still by false Pretences) did set forward that Course, and sending thither certain Forces, Mr. Saunders (too much Jesuited) did thrust himself in Person into that Action, as a chief Ring-leader, and to perswade the Catholics, when he should come into Ireland, to joyn with the Popes said Forces, for the better assisting certain Rebels, then in Arms against their Sovereign.

Now whilst these Practises were in hand in Ireland, Gregory the Thirteenth reneweth the said Bull of Pius Quintus, and denounceth her Majesty, to be excommunicated, with Iniminations of all other particulars in the former Bull mentioned, which was

procured (we doubt not) by Surreptions, the false Jesuits (our Country-men) daring to attempt any thing, by untrue Suggestions, and any leud Surmises that may serve their turns. This Stratagem accomplisht, and ground laid, whereupon they imagined to

work great Matters: these good Fathers (as the Devil would have it) came into England, and intruded themselves into our Harvest, being the Men in our Consciences (we mean both them and others of that Society, with some of their Adherents) who

have been the chief Instruments of all the Mischiefs that have been intended against her Majesty, since the beginning of her Reign, and of the Miseries which we, or any other Catholics, have upon these Occasions sustained. Their first repair hither,

was Anno 1580. when the Realm of Ireland was in great Combustion, and then they entered (viz. Mr. Campian the Subject, and Mr. Parsons the Provincial) like a Tempest, with sundry such great Brags and Challenges, as divers of the gravest Clergy then living in England (Dr. Watson, Bishop of Lincoln, and others) did greatly dislike

them,





them, and plainly foretold, that (as things then stood) their Proceedings after that fashion, would certainly urge the State to make some sharp Laws, which should not only touch them, but likewise all others, both Priests and Catholics, upon their Arrivall; and after these brags, Mr. *Parson*, presently fell to his Jesuitical Courses; and so be-laboured both himself and others in matters of State, how he might set her Majesties Crown upon another Head, as appeareth by a letter of his own to a certain Earl, that the Catholics themselves threatened to deliver him into the hands of the Civil Magistrate, except he desisted from such kind of practices.

In these tumultuous and rebellious proceedings by sundry Catholics, both in England and Ireland, it could not be expected, but that the Queen and the State would be greatly incensed with indignation against us. We had (some of us) greatly approved the said Rebellion, highly extoll'd the Rebell, and pitifully bewailed their Ruin and Over-throw. Many of our affections were knit to the Spaniards, and for our Obedience to the Pope, we all do profess it. The attempts both of the Pope and Spaniards failing in England; his Holiness as a temporal Prince, displayed his Banner in Ireland. This Plot was to deprive Her Highness first from that Kingdom (if they could) and then by degrees to depose her from this. In all these Plots, none were more forward then many of us, that were Priests: The Laity, if we had opposed our selves to these designments, would (out of doubt) have been over-ruled by us. How many of our Calling were addicted to these Courses the State knew not.

In which Case (the premises discreetly considered) there is no King, nor Prince in the World, disgusting the See of Rome; and having either force or Meral in him, that would have indured us, if possible he could have been revenged, but rather (as we think) have utterly rooted us out of his Territories, as Traytors, and Rebels both to him and his Country. And therefore we may rejoyce unfeignedly, that God hath blessed this Kingdom with so gracious and merciful a Sovereign, who hath not dealt in this sort with us. Assuredly if she were a Catholic, she might be accounted the Mirror of the World; but as she is, both we and all other Catholics, her natural Subjects, deserve no longer to live, then we hereafter shall Honour her from our

Hearts, obey her in all things (so far as possibly we may) pray for her Prosperous Reign and long Life, and to our Powers, defend and protect, both her and our Country against any whatsoever, that shall by force of Arms attempt to damnify either of them; for in the said Garboils, and very undutiful Proceedings; how hath her Highness dealt with us? From the time of the said Rebellion and Parliament; there were few above twelve, that in ten Years, had been Executed for their Consciences (as we hold) altho our Adversaries say for Treason, and of those twelve, some perhaps can hardly be drawn within our Account, having been tainted with matters of Rebellion. The most of the said number were Seminary Priests, who if they had come over with the like intents, that some others have done, might very worthily have been used as they were. But in our Consciences; nay, some of us do know it, that they were far from those Seditious humours; being Men that intended nothing else then simply the good of our Country; and the Conversion of Souls. Marry, to say the Truth, as we have Confessed before, how could either her Majesty or the State, know so much. They had great Cause, as politic Persons, to suspect the worst.

Besides to the further Honour of Her Majesty we may not Omit, that the States of the whole Realm Assembled in Parliament, Anno 1576. Were pleased to pass us over, and made no Laws at that time against us: The Antient Prisoners that had been restrained more narrowly in the Year 1570. were (notwithstanding the said Enterprizes in Ireland) again restored to their former Liberty, to continue with their Friends as they had done before; such as were not suspected to have been Dealers or Abettors, in the said Treasonable Accounts, were used with that humanity, which could not well be expected. But when the Jesuits were come, and that the State had notice of the said Excommunication, there was then within a while great alteration; for such were the Jesuits proceedings, and with so great boldness, as tho all had been theirs, and that the State should presently have been changed.

Her Majesty had seen what followed in her Kingdom upon the first Excommunication, and was therefore in all worldly Policy to prevent the like by the second. The Jealousie also of the State was much increased by Mr. *Sherwin's* answer upon his Examination, above Eight Months before the Apprehension of Mr. *Campion*: For being asked, whether the Queen was his lawful Sovereign, notwithstanding any Sentence of the Pope, he prayed that no such Question might be demanded of him, and

The Pope's Banner displayed in Ireland to depose the Queen  
The Queen vindicated and commended.

The Papists themselves confess not above twelve Executed in ten years.

The Jesuits in direct answering of plain Questions.



## An Historical Account of making the Penal Laws

40  
Q. Eliz.

The Queen's Proclamation upon the coming over of the Jesuits & Seminary Priests. This is a Mistake, for the Law made by this Parliament was 23. Eliz. Cap. 1. that made a Tyranny in converting and converting to the Church of Rome, and the Law here mentioned is 27. Eliz. Cap. 2.

The Parliament excused.

Heywoods Preface.

Campion answered as Sherwin did.

The Question propounded to Campian and others.

and would not further thereto Answer. Two or three other Questions much to the like effect, were likewise propounded unto him, which he also refused to Answer. Matters now sitting on this fashion, there was a greater restraint of Catholics, then at any time before, many both Priests and Gentlemen were sent into the Isle of Ely, and other places, there to be more safely kept and looked upon.

In January following, 1581. (according to the general Computation) a Proclamation was made for the Calling home of Her Majesties Subjects beyond the Seas, (such especially as were trained up in the Seminaries) pretending that they Learned little there, but disloyalty; and that none after that time should harbour or relieve them, with sundry other Points of hard Intendment towards us. The same Month also a Parliament ensued; wherein a Law was made agreeable in effect to the said Proclamation: But with a more severe punishment annexed, for it was a Penalty of Death, for any Jesuit or Seminary Priest to depart into England; and for any to receive or entertain them, which fell out according to Bishop Watsons former Speeches or prediction, what mischiefs the Jesuits would bring upon us: We could here as well as some others have done, shew our dislike with some bitterness of the said Law and Penalty. But to what purpose should we do so? It had been a good Point of Wisdom in two or three Persons, that have taken that course to have been silent, and rather to have thought by gentleness and sweet Carriage of themselves, to have prevented the more sharp Execution of that Law; when by exclaiming against it, when it was too late, to have provoked the State to a greater severity against us. And to confess something to our disadvantage, and to excuse the said Parliament. If all the Seminary Priests then in England, or which should after that time have come hither, had been of Mr. Morton, and Mr. Saunders his mind before mentioned (when the first Excommunication came out) or of Mr. Saunders his second resolution (being then in Arms against Her Majesty in Ireland) or of Mr. Parsons Traiterous disposition both to our Queen and Country: The said Laws (no doubt) had carried with them a far greater shew of Justice. But that was the Error of the State; and yet not altogether (for ought they knew) improbable, those times being so full of many dangerous designments and Jesuitical practices.

In this Year, also divers other things fell out unhappily towards us poor Priests, and other the graver sort of Catholics, who had all of us single Hearts, and disliked (no man more) all such factious enterprizes: For notwithstanding the said Proclamation and Law, Mr. Heywood a Jesuit came then into England, and took so much upon him, that Father Parsons fell out exceedingly with him, and a great trouble grew amongst Catholics, by their Brablings and Quarrels. A Synod was held by him the said Mr. Heywood, and sundry Ancient Customs were therein Abrogated, to the offence of very many. These Courses being understood (after a sort) by the State; the Catholics and Priests in Norfolk felt the smart of it. This Summer, also in July, Mr. Campian and other Priests were apprehended, whose Answers upon their Examinations, agreeing in effect with Mr. Sherwins before mentioned, did greatly incense the State, for, amongst other Questions that were propounded unto them, this being one, viz. if the Pope do by his Bull, or Sentence pronounce, Her Majesty to be deprived, and no Lawful Queen, and her Subjects to be discharged of their Allegiance and Obedience unto Her; and after the Pope or any other by his Appointment and Authority do Invade this Realm, which part would you take, or which part ought a good Subject of England to take? some Answered, that when the Case should happen, they would then take Council, what were best for them to do: Another, that when that Case should happen, he would Answer and not before: Another, that for the present he was not resolved, what to do in such a Case: Another, that when the Case happeneth, then he will Answer: Another, that if such deprivation and Invasion should be made, for any Matter of his Faith, he thinketh he were then bound, to take part with the Pope.

Now, what King in the World, being in doubt to be invaded by his Enemies, and fearing that some of his own Subjects were by indirect means drawn, rather to adhere to them then to himself, would not make the best Tryal of them he could for his better satisfaction, whom he might trust to? In which Tryal, if he found any, that either should make doubtful Answers, or peremptorily affirm, that (as the Case stood between him and his Enemies) they would leave him their Prince and take part with them; might he not justly repute them for Traitors, and deal with them accordingly; sure we are, that no King or Prince in Christendom, would like or tolerate any such Subjects within their Dominions, if possibly they could be rid of them.

Thus



Thus much the secular Priests themselves Confess; and certainly then, 'tis not to be denied, but they own all the Treasons and Villanies that the Protestants charge upon the Papists, only they would fain excuse themselves, and the grave sort of *Catholicks* from having any hand in them; And at the same time, they justify the State in their procedure against them; because they have a Colour of reason to believe them all alike, and know not but they are so.

But may the *Papists* say, tho the States might have reason, to make it a Capital offence, to reconcile any of the Subjects of *England* to the See of *Rome*, yet it seems hard, to make a Man a Traitor, for staying in, or if a Man be out, returning to his Native Countrey; which 27th *Eliz.* cap. 2. doth, which Objections will be sufficiently answered, by the following Account of their Practices in the Queens Dominions, from the twenty third year of her Reign to the twenty seventh.

The *Papists* had writ so much against the Queen, and other Excommunicate Princes, that divers, who had the Popes power in Esteem, were perfectly drawn from their obedience; and, amongst others, in the Year 1583 one *Somervil*, who went to the Queens Court, and breathing nothing but Blood, against the Protestants, furiously set upon one or two, by the way, with his drawn Sword, and being apprehended, Confessed that he designed to have killed the Queen with his own hands.

One *Edward Arden*, *Somervil's* Wives Father, his own Wife, *Somervil's* Wife, and one *Hall* a Priest, were Arraigned, and Condemned for this Conspiracy. *Somervil* was three days after found strangled in Prison; *Arden* was hanged and Quartered: But so merciful was the Queen, that she spared the Women, and the Priest. This unfortunate Gentleman *Somervil* was drawn into all this, by the cunning of a Priest, and cast by his Evidence, saith *Mr. Cambden*.

*Somervils Conspiracy.*  
*Camb. Annals.*  
f. 289.  
*Foulis Hist. l.*  
7. cap. 4. f. 338.  
*Bakers Chron.*  
f. 361.

In the Year 1584, *Francis Throgmorton* eldest Son of *John Throgmorton*, a Justice of Peace in *Cheshire*, was Clapt up, for being in a Conspiracy, to bring in an Army of Foreigners, and Deposing the Queen. And no sooner was he Committed to Custody, and had Confessed some things; But *Thomas Lord Paget*, and *Charles Arundel* a Courtier, who joyned with him in the Conspiracy, privily fled the Land, and withdrew themselves into *France*: And *Mendoza* the Spanish Ambassador (who was likewise engaged in the same Design) being greatly reprehended for it, secretly Cross the Seas into *France*.

*Francis Throgmorton's Conspiracy.*  
*Camb. Annals.*  
f. 294. 298.  
*Bakers Chron.*  
f. 362.

*Throgmorton* Confessed the Fact, and afterwards denied it, and after that, cast himself upon the Queens Mercy, and in writing Confessed the same again at large; But at the Gallows, pretended to deny it again, he being executed, and the others fled, that Conspiracy came to nothing.

Soon after this, there was a further Discovery of the design of the Pope, the Spaniard, and the *Guises*, for invading *England*, which was Discovered in this manner. One *Chreibton* a Scotch-man, of the Society of *Jesus*, passing into *Scotland*, and being taken by some *Netherland* Pirates, tore certain Papers in pieces, the torn pieces being thrown over board, were by the Wind, blown back again, and fell by chance into the Ship, not without a Miracle, as *Chreibton* himself said, and *Sir William Wade* the Clerk of the Council, by putting together these torn pieces of Paper, with much pains, and singular Dexterity, discovered the Design.

*Camb. Annals.*  
f. 299. *Foulis Hist. l.*  
7. cap. 5. f. 345.  
*The Earl of Arundel and Northumberland were engaged.*  
*Camb. Annals.*  
f. 310.

311. there you will see the design was for delivering the Queen of Scots for the Conquering of *England*, and the destruction of the Protestant Religion.

Their spight was all at the Queen; and the better to procure her ruin, there was a little Book composed, and called a *Treatise of Schism*, which amongst other things exhorted the Women at Court to Act the same against the Queen, as *Judith* had done, with Commendation against *Holofernes*. The Author of this pernicious Pamphlet was one *Gregory Martin*, formerly of *St. Johns Colledge* in *Oxford*, and Contemporary with *Campion*. The Duke of *Norfolk* made him Tutor to his eldest Son, and indeed his Learning was noted, being a good Linguist, and one who had read much, but in his writing he was very passionate, and so sometimes inconsiderate.

*Martins Book against the Queen.*  
*Foulis Hist. l.*  
7. cap. 4. f. 338.

One *William Carter*, who had formerly been *Ammanensis* to *Dr. Harpesfield* (one of *Bishop Bonners* Creatures,) and was now the chief Printer for the Romanists, keeping two Presses at their Devotion, gets this Book commended by *Allen*, and Prints above a thousand, for which he is tryed, confesseth the Printing it, vindicateth all is contained in it, is condemned and executed, and hath the Honour to be registred amongst their Martyrs.

\**Carter Prints Martins Book.*  
*Concertat. Eccles. Cathol. Angl. part. 2.*  
f. 127. &c.  
*Ruston de Schism. Angl.*  
By l. 3.



Q. Qlitz  
The Subjects  
of England  
Associate.

By reason of these Treasons before mentioned, as also upon occasion of Rumors from all parts, that great Dangers were at hand, and threatened to prevent the wicked Designs, and Treacherous Practices of the *Papists*, and to provide for the Queens safety, upon which the Welfare both of the Realm and Religion depended, many Men of all Degrees and Conditions throughout *England*, by *Leicesters* means, and out of their own publick Care and Love, whilst they stood not in Fear of her, but were full of Fear for her, bound themselves in an *Association* by mutual Vows, Subscriptions, and Seals, to prosecute to the Death, as far as lay in their Power, all those that should Attempt any thing against the Queen.

Upon which, the Parliament meeting on *Munday* 23<sup>d</sup>. Day of *November*, 27 *El.* A Bill was in this Sessions brought into the House of Commons, for Provision to be made for the Surety of the Queens Majesties Royal Person, and the continuance of the Realm in peace, and for confirming the said *Association*.

There was also, in this Session of Parliament, another Bill brought into the House of Commons, against *Jesuits*, *Seminary Priests*, and other disobedient Persons; and one *William Parry*, by Nation, a *Welshman*, born of obscure Parentage, and of mean Estate, by Title, a Doctor of the Law, (*though but indifferently Learned*) a Man ex-

Camb. Annals  
f. 305.  
D<sup>r</sup> Ewes his  
Journal f. 340,  
341, 342.  
Bakers Cron.  
f. 364.  
Parry's con-  
tempt to the  
House of Com-  
mons.

ceeding proud; when this Bill was read the third time, (which was *Decemb.* the 17<sup>th</sup> 1584. and with little or no Argument passed the House) in very violent Terms, spake directly against the whole Bill, standing up for the *Jesuits*, and pleading that the said Law favoured of Treasons, was full of blood, danger, despair and terror, or dread to the *English* Subjects of this Realm, but refused to give his Reasons to the House, or any other but the Queen; for which he was committed to the *Serjeants* Custody, till the House considered of his Crime; and being called in again, and he persisting in his contempt: It was resolved, that for that he did speak to the Bill, and gave his *Negative* voice so directly and undutifully, and in contempt of the House, would not shew his Reasons for the same, being against the ancient Orders and Usage of that High Court, and not for that he said he would shew them only to be discovered to her Majesty, he should be committed to the *Serjeants* Ward, till the Matter should be farther Examined. On the 18<sup>th</sup> of *December* the Queen sent a Message to the House, approving and commending what they had done in this matter, and letting them know, that Doctor *Parry* had been examined, and made a discovery, partly to the satisfaction of her Majesty, and therefore desired, that upon his humble submission, and acknowledgement of his fault, he might be dispensed with, which was accordingly done. But *Feb.* the 18<sup>th</sup> (being in the Tower for Treason) was disabled from being longer a Member of the House of Commons.

Parry's Treasonable Conspira-  
cy for taking away the  
Queens Life.  
Camb. Annals.  
f. 306.  
Foulis Hist. 1.  
7. ca. 4. f. 338.  
D<sup>r</sup> Ewes Jour-  
nal. f. 356.

This very *Parry*, when he got to be Parliament man was a *Papist*, and afterwards accused by *Edmond Nevil* (who claimed the Inheritance of *Charles Nevil*, [late Earl of *Westmorland*, one of the Ring-leaders in the forementioned Plot in the *North*, who a little before ended his Life, in a Miserable Exile,] and the Title of Lord *Latimer* as next Heir Male) to have been engaged in a secret design, for taking away the Queens Life.

This *Parry* had been pardoned formerly by the Queen of a Burglary and Assault, for which he was Tryed and Condemned, and to requite her, enters into a Conspiracy to take away her Life; which he being resolved to do, and being then beyond Seas, comes forthwith for *London*, and the better to get access to the Queen, and credit with her, resolves to discover, how he had been perswaded to kill her, which he doth at *White-Hall* as cunningly as he can. The Queen gave him the hearing, and began to put some confidence in him; He afterwards engageth the said Mr. *Nevil* in the design, who declared himself convinced of the lawfulness and braveness of the Action; so they both swear, in *Parry's* Lodgings, Secrecy, to kill her; yet all this while, *Parry* carried it so fair with the Queen, that She not only thought him a trusty Loyal Subject, but intended him a liberal Pension or Allowance.

Foulis Hist. 1.  
7. ca. 4. f. 141.

Whilst he thus gets esteem with the Queen, and at the same time contrives her death, *Nevil* resolves to discover all, doth so, and is examined by *Leicester*, and Sir *Christopher Hutton*; the Queen wonders at the juggle and contrivance; but had it kept secret: And the better to find out the Plot, *Parry* is sent for by Secretary *Walsingham* to his house, there to see if he would any way confess this, who had shew-  
ed himself greedy on his own head, to discover the Foreign designs against her Majesty.

The



The Secretary entertains him kindly, telling him that the Queen had appointed him to deal with him, in a Matter that highly concerned her Majesty, knowing him to be one, who bore an extraordinary devotion to her; the Matter was, the Queen had been advertized, that there was some Plot in hand against her own Person, where-with she thought, he could not but be made acquainted; considering the great trust that some of her greatest Enemies reposed in him: of this she desired to understand his knowledge, and whether he himself might not at some time, or other have let slip some suspicious words, not with any real design against her, but to discover the intentions of others.

Parry (strongly confiding in *Newil*) earnestly denied it again and again, with several Protestations, that he was neither party nor privy to any such motion or enterprize; *Walsingham* dealt fairly with him, telling him that there was a Gentleman, and his friend, who would prove the contrary to his Face; yet Parry denieth all (true Popish impudence) though probably had he confessed (and these were hints enough) and accused *Newil*, at his first asking, he might have saved himself; and in this his great cunning was overseen.

Parry thus obstinate in his denials, is not permitted to go home, but lodged that Night at Mr. Secretary *Walsingham's* House in London: This put him in a peck of troubles, fills his Head full of suspicions; and having consulted with his Pillow, the next Morning he desired to speak with Mr. Secretary, which granted, he confesseth that now he called to remembrance, that he once had Speech with one *Newil*, concerning a Point of Doctrine, contained in one of Dr. *Allen's* Books; wherein it was maintained that it was lawful to take away the Life of a Prince, to benefit the Roman Religion, but denied that he spake any thing of the Queen.

That Night he was Examined in *Leicesters* House before several, but still he deny'd all; whereupon *Newil* was brought before him, who punctually justified every circumstance before his Face, yet the other, as formerly, denied all; however he is sent to the Tower, where perceiving the exactness of the Proof against him, he freely and of his own accord, confessed all, which Confession take as the same is related by *Cambden* in these words.

'In the Year (saith he) 1570. I was Sworn one of the Queens Servants, and continued intirely devoted to her Majesty, till the Year 1580. at which time I came into danger of losing my Life with great disgrace, (for he had broken into *Hugh Hares* Chamber, in whose debt he was, and had wounded him, for which he was by the Law Condemned, but had his Life saved by the Queens gracious Pardon); from that time, I continued troubled in my Mind, and having procured a License, to withdraw my self into France, not with any intentions to return hither again, for I had devoted my self to the Catholic Religion. At Paris I was reconciled to the Church of Rome, at Venice I had conference with *Benedict Palmio*, a Jesuit, concerning the distressed Catholics in England; and I gave him some hints that I had found out a way to relieve them, if the Pope or any Learned Divines would justify it to be lawful; *Palmio* extolled this as a Pious design, and me he recommended to the Popes Nuncio at Venice, whose Name was *Campeius*, and *Campeius* recommended me to the Pope: I besought by Letters, that I might come to Rome, with a safe Conduct; Letters of safe Conduct were sent me from the Cardinal of *Genoa*, but not large enough, afterwards others were sent me more large and full, but then was I returned to Paris, there I lighted upon *Morgan*, who told me that it was expected by divers, that I should do some notable Service for God and the Catholic Church; I answered, that I was ready to kill the greatest Subject in England; but (saith he) why not the Queen her self; and this said I, might easily be done, if it might appear to be lawful, for *Watts* a Priest with whom I had conference about it, (concealing persons Names) affirmed flatly, it was not lawful (and *Chreighton* also, a Scottish Jesuit, avouched the same, Teaching, that evil was not to be done that good might come of it; that God was better pleased with Adverbs then Nouns, and approved what was well done and lawfully, then what was otherwise good; and that many Souls were not to be redeemed with the destruction of any one, without the Express command of God) notwithstanding I having engaged my self both by Letters and Promises, whilst I was in Italy, thought it an heinous sin to give over my enterprize, in case the Pope should approve it by his Letters, and grant me a plenary Pardon; which I begged of him, by Letters

I sent

Q. Eliz.

Parry's Confession.

Camb. Annals.

f. 306.



Q. Eliz.

I sent to him by *Ragozoni*, his Nuncio in France; who highly commended my design, and sent my Letters to Rome, being returned into England, I procured access to the Queen, to whom after all By-standers were removed, I discovered the whole Conspiracy, how be it, cloaked with the best Art I could, she heard me without being daunted, I departed not without being terrified; and cannot now forget what she then said; That no Catholic should be called in Question meerly for Religion, or the Popes Supremacy, so that they shewed themselves good Subjects: In the mean time, whilst I was a daily Suitor in the Court, for the Mastership of St. Catharines, I received Letters from the Cardinal of *Como*, wherein my enterprize was commended, and my self absolved in the Popes Name. These Letters I imparted to the Queen, what effect they wrought with her I know not; to me they certainly added Courage, and took away all scruples; yet was I not minded to offer her any violence, if she could by any means be perswaded to deal more favourably with the Catholics. And therefore least I should commit the Murther, I layed away my Dagger still, as often as I had access to her; when I seriously considered her, and her truly Royal virtues, I was distracted with doubtful thoughts, for my Vows were recorded in Heaven, my Letters and Promises amongst Men; these things I often pondered with an unquiet Mind, I was never much beholden to her for any thing; my Life indeed she once Pardoned me; but to have taken it away upon that occasion, had been cruel and tyrannical; hereupon, I departed from Court much unsatisfied with my condition: I lighted upon Dr. *Allens* Book against the Justice of *Brittain*, where he taught, That Princes Excommunicate for Heresie, were to be deprived of Kingdom and Life; which Book did strongly encourage me, to prosecute my attempt. This Book I read to *Nevil* (whom I sometimes invited to my Table) six whole Months before he accused me; afterwards he came to me and said, let us venture upon somewhat, since we can get nothing from the Queen, and he propounded several things about the delivery of the Queen of *Scots*: But I have (said I) a greater business in my Mind, and of more advantage for the Catholic Church. The next day he came and swore upon the Bible, that he would conceal, and constantly pursue any thing that should be for the good of the Catholic Religion, and I swore the like, we then resolved with ten more Men to set upon the Queen, as she rode abroad to take the Air, and to kill her: All which *Nevil* concealed till now. But having heard, that the Earl of *Westmorland* was dead, whose Estate he hath already swallowed in hopes, he presently brake his Oath, and accused me of these things.

Cardinal Co-  
mo's Letter to  
Parry.  
Foulis Hist. lib.  
7. cap. 3. f. 2  
393.

The Letter also, in that Confession mentioned to be writ from Cardinal *Como* to him, as the same is related by *Foulis*, followeth.

SIR,

**H**IS Holiness hath seen your Letter of the first, with the Certificate inclosed, and cannot but commend the good disposition and resolution which you write to hold, towards the Service and common good; wherein his Holiness doth exhort you to persevere, and to bring to effect that which you have promised.

And that you may be the more assisted by that good Spirit, which hath moved you thereunto; his Holiness grants unto you his Blessing, plenary Indulgence and Remission of all your sins, according as you have desired; assuring you, that beside the merit which you shall receive for so doing in Heaven, his Holiness will farther make himself Debtor, to acknowledge your deservings in the best manner that he can; and the more, because you use the greater modesty, in not pretending any thing or reward.

Put therefore to effect your holy and honourable purposes, and regard your health. And to conclude, I offer my self to you heartily, and desire you all good and happy success,

Rome January  
30th 1584

At your Service

N. Card. Di. Como.



by the Protestants against the Papists.

45

Q. Eliz.

All this he confessed before the Lord Hunsdon, Sir Christopher Hatton, and Sir Francis Walsingham, all three of the Privy Council; he acknowledged his Fault, and begged Pardon for the same, by his Letters to the Queen, to Burleigh and Leicester.

His LETTER to the Queen, as Foulis relates it, was as followeth.

Parry's Letter to Queen Elizabeth, Foulis Hist. lib. 7. cap. 4. f. 341.

**Y**OUR Majesty may see, by my voluntary Confession, the dangerous Fruits of a discontented Mind, and how constantly I pursued my first conceived Purpose in Venice, for the Relief of the afflicted Catholicks, continued it in Lyons, and resolved in Paris to put it in adventure, for the Restitution of England, to the antient Obedience of the See Apostolick.

You may see withal, how it is commended, allowed and warranted, in Conscience, Divinity and Policy, by the Pope and some great Divines, though it be true, or likely, that most of our English Divines (less practiced in Matters of this weight) do utterly mislike and condemn it.

The enterprise is prevented, and Conspiracy discovered, by an honourable Gentleman my Kingman, and late familiar Friend, Mr. Edmond Nevil, Privy, and by solemn Oath (taken up on the Bible) Party to the Matter; whereof I am heartily glad, but more sorry in my very Soul, that ever I conceived or intended it, how commendable and meritorious soever I thought it; God spare him, and forgive me, who would not now (before God) attempt it (if I had Liberty and Opportunity to do it) to gain your Kingdom. I beseech Christ, that my Death and Example may as well satisfy your Majesty and the World, as it shall glad and content me.

The Queen of Scotland is your Prisoner, let her be honourably intreated, but yet surely guarded.

The French King is French, you know it well enough, you will find him occupied when he should do you Good, he will not loose a Pilgrimage to save you a Crown.

I have no more to say at this time, but that with my Heart and Soul, I do now honour and love you, am inwardly sorry for my Offence, and ready to make you amends by my Death and Patience. Discharge me a Culpa, but not a Pœna, good Lady.

And so farewell, most Gracious, and the best Natured and Qualified Queen that ever lived in England.

From the Tower, the 14th of Feb. 1584.

William Parry.

Some short time after, he was arraigned at the Kings Bench-Bar in Westminster-Hall, and confessed himself Guilty, and when his Confession was recorded, and Judgment demanded against him, Hatton thought it necessary, for the Satisfaction of the Multitude that were present, that his Crime should be clearly and fully represented out of his own Confession; which Parry acknowledged to be voluntary, and prayed the Judges that he might read it Himself. But the Clerk of the Crown read both it, and also Cardinal Camerlengo's Letter, and Parry's own to the Queen, to Burleigh, and to Leicester, which he confessed to be the very Letters themselves; yet did he deny that ever he was resolved to Kill the Queen. Being now commanded to speak, if he had any thing to say, why Judgment should not be given against him; he answered perplexedly, as if he were troubled in Conscience for the foul Fact he had undertaken: I see I must die, because I have not been constant to my self. Being will'd to declare more plainly what he meant (My Blood, said he, be amongst you.) Sentence of Death being pronounced, he, in a Fury, cited the Queen to the Judgment-Seat of God. He was executed in the Palace-Yard: he said he was never fully resolved in his Mind, to take away the Queens Life; and then died, without, in the least, commending himself to God. So let all the Enemies of Jesus Christ and his Gospel perish.

Parry's Arraignment and Confession.



Q. Eliz.

These Plots and Conspiracies produced the said two Acts before mentioned; the one for Provision to be made for the Security of the Queens Majesties Person, and the Continuance of the Realm in Peace; by which, the said Association was confirmed. The other Act against Jesuits, Seminary Priests, who would ground any Villanous Plots and Designs upon the Bull of Pius Quintus. The former of which Acts of Parliament, followeth in these Words, as it is in *Rastall*

27 Eliz. cap. 1.  
Rast. Stat. 2.  
part. f. 283.

*An Act for Provision to be made for the Surety of the Queens Majesties most Royal Person, and the Continuance of the Realm in Peace.*

Treason in any Successor, or other for them, to take away the Queens Life. And in case it happens, to be tried, notwithstanding the Succession; and their Issues utterly excluded from the Crown.

As much as the good Felicity and Comfort of the whole State of this Realm, consisteth only, next under God, in the Surety and Preservation of the Queens most excellent Majesty. And for that it hath manifestly appeared, that sundry wicked Plots and Means have of late been devised and laid, as well in forreign Parts beyond the Seas, as also within this Realm, to the great endangering of Her Highness most Royal Person, and to the utter Ruine of the whole Commonwealth, if by Gods merciful Providence, the same had not been revealed; therefore, for the preventing of such great Perils, as might hereafter otherwise grow, by the like detestable and devilish Practices, at the humble Suit, and earnest Petition and Desire of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same Parliament.

Be it enacted and ordained, if at any time after the end of this present Session of Parliament, an open Invasion or Rebellion shall be had or made into, or within any of Her Majesties Realms or Dominions, or any Act attempted, tending to the Hurt of Her Majesties most Royal Person, by, of, or for any Person that shall, or may pretend any Title to the Crown of this Realm, after Her Majesties Decease; or if any thing shall be composed, or imagined, tending to the Hurt of Her Majesties Royal Person, by any Person, or with the Privy of any Person, that shall, or may pretend Title to the Crown of this Realm. That then, by Her Majesties Commission, under Her Great Seal, the Lords and others of Her Highnesses Privy Council, and such other Lords of Parliament, to be named by Her Majesty, as with the same Privy Council, shall make up the Number of twenty four at the least, having with them, for their Assistance in that behalf, such of the Judges of the Court of Records at Westminster, as Her Highness shall for that purpose assign and appoint; or that more part of the same Council, Judges and Judges, shall, by virtue of this Act, have Authority to examine all and every the Offenders aforesaid, and all Circumstances thereof, and thereupon, to give Sentence or Judgment, as upon good Proof the Matter shall appear unto them; and that after such Sentence or Judgment given, and Declaration thereof made and published by Her Majesties Proclamation, under the Great Seal of England, all Persons, against whom such Sentence or Judgment shall be so given and published, shall be excluded and disabled for ever, to have or claim, or to pretend to have or claim the Crown of this Realm, or any of Her Majesties Dominions, any former Law or Statute whatsoever to the contrary in any wise notwithstanding.

14. 1. 1715  
14. 1. 1715  
14. 1. 1715

And that thereupon all Her Highnesses Subjects shall, and may, lawfully, by virtue of this Act, and Her Majesties Directions in that Behalf, by all forcible and possible Means, pursue to Death, every such wicked Person, by whom, or by whose Means, Advice, or Motion, any such Invasion or Rebellion shall be in form aforesaid, or intended to be in form aforesaid, or such wicked Acts attempted, or other thing composed, or imagined, against Her Majesties Person, and all their Aids, Comforts and Abettors.

And if any such detestable Act shall be executed against Her Highnesses most Royal Person, whereby Her Majesties Life shall be taken away (which God of his Mercy forbid) that then every such Person, by, of, or for whom, any such Act shall be executed, and that Person being any wise assenting, or privy to the same, shall, by virtue of this Act, be excluded, and disabled for ever, to have or claim, or to pretend to have or claim the said Crown of this Realm, or of any other Her Highnesses Dominions, any former Law or Statute whatsoever to the contrary in any wise notwithstanding.

And all the Subjects of this Realm, and all other Her Majesties Dominions, shall, and may lawfully, by virtue of this Act, by all forcible and possible Means, pursue to Death, every such wicked Person, by whom, or by whose Means, Advice, or Motion, any such detestable Act shall be in form hereafter expressed, or intended to be in form hereafter expressed, and also Comfortors and Abettors in that Behalf. And to the end that the Intention of this Law



Law may be effectually executed, if her Majesties Life shall be taken away by any violent, or unnatural means (which God defend.)

Q. Eliz.

It is further enacted, by the Authority aforesaid, That the Lords and others, which shall be of Her Majesties Privy Council, at the time of such her Decease, or the more part of the same Council joining unto them, for their better Assistance; five other Earls, and seven other Lords of Parliament at the least (foresaying that none of the said Earls, Lords, or Council, be known to be Persons that may make any Title to the Crown) those Persons which were Chief Justices of either Bench, Master of the Rolls, and Chief Baron of the Exchequer, at the time of her Majesties Death, or in Default of the said Justices, Master of the Rolls, and Chief Baron, some other of those which were Justices of some of the Courts of Record at Westminster, at the time of her Highnesses Decease, to supply their Places, or any twenty four or more of them, whereof eight to be Lords of Parliament, not being of the Privy Council, shall, to the utmost of their Power and Skill, examine the Cause and Manner of such her Majesties Death, and what Persons shall be by way Guilty thereof, and all Circumstances concerning the same, according to the true meaning of this Act; and thereupon, shall, by open Proclamation, publish the same; and without any delay, with all forcible and possible means, prosecute to Death, all such as shall be found to be Offenders therein, and all their Heirs and Executors. And for the doing thereof, and for the withstanding and suppressing of all such Power and Forces as shall any way be levied or stirred, in disturbance of the due Execution of this Law, shall, by virtue of this Act, have Power and Authority, not only to raise and use such Forces as shall in that behalf be judged and convenient, but also to use all other Means and things possible and necessary for the maintenance of the same Forces, and prosecution of the said Offenders; and if any such Power and Force shall be levied or stirred, in disturbance of the due Execution of this Law, by any Person that shall or may pretend any Title to the Crown of this Realm, whereby this Law may not in all things be fully executed, according to the Effect and true Meaning of the same: That then, every Person, that by virtue of this Act, be therefore excluded and disabled for ever, to have or claim, or pretend to have or claim the Crown of this Realm, or of any other her Majesties Dominions, any former Law or Statute whatsoever to the contrary notwithstanding.

Commissioners  
to try such  
Traitors, in  
case the Queen  
should be killed.

And it is further enacted, by the Authority aforesaid, that all and every the Subjects of her Majesties Realms and Dominions, shall, to the utmost of their Power, aid and assist the said Council, and all other the Lords, and other Persons to be appointed unto them for assistance, as is aforesaid, in all things to be done and executed according to the Effect and Intention of this Law; and that no Subject of the Realm shall in any wise be impeached in Body, Land, or Goods, at any time hereafter, for any thing to be done or executed, according to the Tenor of this Law, any Law or Statute heretofore made to the contrary, in any wise notwithstanding. And whereas of late, many of her Majesties good and faithful Subjects, have, in the Name of God, and with the Testimony of a good Conscience, by one uniform manner of Writing, under their Hands and Seals, and by several others, jointly and severally, joined themselves together in one Word and Association, to wish, that and revenge, to the uttermost, all such malicious Actions and Attempts against her Majesties most Royal Person; now for the explaining of all such Ambiguities and Questions, which otherwise might happen to grow, by reason of any unlettered or wrong Construction or Interpretation, to be made or inferred, of, or upon the Words or Meaning thereof.

It is declared and enacted, by the Authority of this present Parliament, that the said Association, and every Article and Sentence therein contained, as well concerning the disallowing, extending or disabling of any Persons, that may or shall pretend any Title to come to the Crown of this Realm, and also for the pursuing and taking Revenge of any Person, for any such wicked Act or Attempt, as is mentioned in the same Association, shall, and ought to be in all things expounded and adjudged, according to the true Intent and Meaning of this Act, not otherwise, nor against any other Person or Persons.

The Association  
approved and  
confirmed.

The



Q. Eliz.

The latter of the said two Acts of Parliament, is intituled, *An Act against Jesuits, Seminary Priests, and such other like disobedient Persons.* The Preamble runs thus.

27 Eliz. cap.  
2. Rast. Stat.  
2. part. f.  
285.  
Treason for  
Priests and  
Jesuits to come  
into England:  
Harbouring  
them Felony,  
&c.

Whereas divers Persons, called or professed Jesuits, Seminary Priests, and other Priests, which have been, and from time to time are made in the Parts beyond the Seas; by, or according to the Order and Rites of the Romish Church, have, of late years, come in, and been sent, and early do come and are sent into this Realm of England, and other the Queens Majesty's Dominions, on purpose (as it hath appeared, as well by sundry of their own Examinations and Confessions, as by divers other manifest Means and Proofs) not only to withdraw her Highness's Subjects from their due Obedience to her Majesty, but also to stir up and move Sedition, Rebellion and open Hostility, within the same her Highness's Realms and Dominions, to the great endangering of the Safety of her most Royal Person, and to the utter Ruine, Disolation and Overthrow of the whole Realm, if the same be not the sooner, by some good Means, foreseen and prevented.

For reformation whereof, it is enacted, That all Jesuits, Seminary Priests, and other Priests whatsoever, Ordained within or without the Queens Dominions, by virtue of the Popes Authority, should depart within forty Days, That those who should afterwards return into the Kingdom, should be guilty of High Treason. That he who should wittingly and willingly Harbour, Believe and Maintain them, should be guilty of Felony; that those who were brought up in Seminaries, if they returned not within six Months after Notice given, and submitted not themselves to the Queen before a Bishop, or two Justices, should be guilty of High Treason, and if any, so submitting themselves, should within ten years approach the Queens Court, or come within ten Miles thereof, their Submission should be void: That those who should, by any Means whatsoever, send or convey over any Money to Students in such Seminaries, should incur the Penalty of a Premunire: That if any of the Peers of the Realm, that is, Dukes, Marquesses, Earls, Viscounts, or Barons of Parliament, should offend against these Laws, he should be brought to his Tryal by his Peers. That if any should know of any such Jesuits, or other Priests above said, lurking within the Realm, and should not discover them within twelve Days, he should be Fined and Imprisoned at the Queens Pleasure. That if any Man should be suspected to be a Jesuit or Priest, as aforesaid, and not submit himself to Examination, he should for his Contempt, be imprisoned till he did submit himself. That he who should send his Children, or any others, to Seminaries and Colleges of the Romish Profession, should be fined in an hundred Pounds of English Money, and that those who were so sent thither, should not succeed as Heirs, nor enjoy any Estates, which should any way fall to them; the like for all such as should not return home from the said Seminaries within a year, unless they did conform themselves to the Church of England: That if the Wardens or Officers of the Ports, should permit any others, besides Sea-men and Merchants, to cross the Seas, without Licence of the Queen, or her Highness's Councillors, they should be put out of their Places, and the Masters of such Ships as carried them, should forfeit their Ships and Goods, and suffer Imprisonment for a whole Year.

Reflections upon  
the foregoing  
Plots, Treasons  
and Acts  
of Parliament  
occasioned by  
them.

From which said Plots, Conspiracies and Treasons, and the said Acts of Parliament occasioned by the same, I observe these things amongst many others observable.

1. That there are no Villanies that can be imagined so bad, but the Romish Clergy, even the Pope himself, will tell you is lawful to be Committed; to carry on the interest of that Religion; and instruments enough are to be found, amongst Men of that Communion, to undertake the Committing thereof, one instance whereof we have in this Party, who did not only think it lawful, but undertook it, to murder his own Lawful Sovereign, and had Authority so to do from the Pope himself; and that he might sit in the House of Commons, must needs be Guilty of a Wilful Perjury; for by 13. Eliz. cap. 2. none could sit in that House, but he who first had taken the Oath of Supremacy, and that he did sit there is plain from the History, and tho it doth not appear that he had a Dispensation for it, yet 'tis not to be doubted but that he was sure of a Pardon, in case he had not a Dispensation.

2. That



That the Protestants (in those days) thought it not only lawful, but their Duty to Associate for the preservation of their Prince, and of their Religion, and having so done, they were so far from being blamed by the Parliament, that the Parliament did esteem it not only as a Lawful, but a Commendable Act, and added their Sanction, to confirm what before they judged Lawful.

That the Parliament in the 27th. Year of Queen Elizabeths Reign, were so far from questioning, their own power of determining and limiting the Crown, and the Succession thereof, that they did not only think it in their Power, but reduced it into Act too, to make the Successor Guilty of High Treason, that should imbrue His or Her hands in the Blood of the Predecessor: and hereby altered the Law, that the Accession to the Crown purges the Treason; because all Persons named in Acts of Parliament, (even the King himself) are bound by such Acts of Parliament, wherein they are named, they being no ways alterable; but by the same power (not Persons) that made them.

1. H. 7. 4. Fitz.  
Abr. tit. Parl.  
3. Bro. Abr.  
tit. Parl. 37.  
Plowd. 238. b.

That the severity of the Laws hitherto made, did not actually deter the Papists from Plotting and Conspiring the Death of the Queen, and the subverting the Protestant Religion; Nor was it likely to be effected, so long as the Jesuits, Seminary Priests, and other Priests were tolerated here, for it hath been observed by some, with a great deal of Truth, that there was never yet a Plot against the Government, but the Popish Priests had their share in it. It was therefore thought necessary to follow the example of Sweden, the State of Venice and other Countries, who have banisht the Jesuits, and wisely to carry it a little further, and banish Priests too they being such Disturbers of the State; which was accordingly done by 27. Eliz. cap. 2.

But lest the Papists should again object against the Authorities I cite for the History of the Fact, I shall here insert the very Words of their Secular Priests in their important Considerations, whereby the truth of the Fact is Confest, the Words are these.

About the time of the overthrow of the Popes Forces in Ireland, his Holiness (by the false instigation of the Jesuits) plotted with the King of Spain, for the assistance of the Duke of Guise, to enterprize upon the sudden, a very desperate design against Her Majesty: and for the Delivery and advancement to the Crown of the Queen of Scotland. For the better asserting whereof Mendoza the Jesuit, and Ledger for the King of Spain in England, set on work (a worthy Gentleman otherwise) one Mr. Francis Throckmorton and divers others. And whilst the same was Contriving (as afterwards Mr. Throckmorton himself Confessed 1584) the Jesuitical humour had so possessed the hearts of sundry Catholics; as we do unfeignedly rue in our hearts the remembrance of it, and are greatly ashamed that any Person so intitled should ever have been so extremely bewitched: Two Gentlemen about that time also, viz. Anno 1583. Mr. Arden and Mr. Somervil were convicted by the Laws of the Realm, for having purposed and contrived how they might have laid violent hands upon Her Majesties sacred Person. Mr. Somervils Confession therein was so notorious, as it may not be either qualified or denied. And Dr. Parry the same Year was plotting with Jesuits, how he might have effected the like Villany: How the worthy Earl of Northumberland was about this time brought into the said Plot by the Duke of Guise (then still in hand) we will pretermitt. Mr. Parsons, that was Actor in it, could tell the Story very roundly at Rome, it wrought the Earls overthrow in 1585, which may justly be ascribed to the Jesuitical Practices of the Jesuite Mendoza, and others of that Crew. They mentioned several other Treasons, which I shall not here take Notice of, but reserve them till I come to give the further Account of their Treasons, and only set down the Conclusion of this Paragraph. These things (say they) we would not have mentioned, had they not been known in effect to this part of the World, and that we thought it our Duties to shew our own dislike of them, and to clear Her Majesty (so far as we may) from such imputations of more then barbarous Cruelty towards us, as the Jesuits in their Writings have cast by Heaps upon her: They themselves (as we still think in our Consciences, and before God) having been, from time to time, the very Causes of all the Calamities which any of us have endured in England, since Her Majesties Reign; which we do not write simply to excuse Her Highness, altho we must Confess we can be contented to indure much, rather then to seek her Dishonour: but for that we think few Princes living, being perswaded in Religion as Her Majesty is, and so provoked as she hath been; would have dealt more mildly with such their Subjects (all Circumstances considered) then she hath done with us.

The Secular  
Priests confess  
the truth of all  
the foregoing  
Account.  
Collect. f. 44.  
The Popes Plot  
with King of  
Spain and Duke  
of Guise.  
Mendoza.

Throgmorton's  
Confession  
you have Printed,  
Camb. Annual. 1. 3. f. 297.  
Arden and Somervil.  
Dr. Parry.  
Earl of Northumberland.



## An Historical Account of making the Penal Laws

Let us now see what reason can be given for making the rest of the Penal Laws, that were made against the Papists in this Queens Reign.

The first thing I meet with remarkable after the making these Laws foremen-  
tioned, is the fining the Earl of Arundel 5000 pounds in 1586 for holding Correspon-  
dence with Allen and Parsons the Jesuits, the Queens Enemies, for that publicly in  
writing, he had questioned the Justice of the Kingdom, and that he had intentions  
of departing the Realm without License. The Earl protesting his obedience to the  
Queen, and his Love to his Countrey, modestly excused himself by his Love to the  
Catholic Religion, and his ignorance of the Law. Confessed his fault and submitted.

In the same year, a very dangerous Conspiracy was discovered against Queen El-  
izabeth, in the English Seminary at Rheims, there were some who were so bigotted to  
the Popish Religion, that they thought the Pope could by his Authority, do any thing,  
and that the aforementioned Bull of Pius, Sixtus for deposing the Queen was dicta-  
ted by the Holy Ghost, and thought it a Meritorious Act to take away her Life, and  
doubted not of a Canonisation, as Martyr if they fell in the Attempt. William Gifford  
Doctor in Divinity, Gifford, and one Hodgson Priests did so infuse this treasona-  
ble Doctrine into the mind of one John Savage a Ballard as was reported, that he readily  
Vowed to kill the Queen.

One Ballard, an English Priest, at Rheims, bestirred himself in England and Scotland for  
carrying on the Design, and for that purpose prepared Disciples, then goeth into  
France, and treats with Mendoza before named, Charles Paget and others, about invading  
of England, judging they could never have a fairer opportunity, then at that Juncture  
of time, forasmuch as the Pope, the Spaniard, the Duke of Guise, and the Prince of  
Parma, were all resolved to set upon England, thereby to divert the War from the Ne-  
therlands: Having delivered the Message there he returns for England to promote the  
design here, gets to London, where in a Soldiers habit, under the false Name of Cap-  
tain Fesus, he agitates the Plot.

At London, he discovered this Affair to one Mr. Anthony Babington of  
Derbyshire, a young Gentleman, greatly addicted to the Romish Religion,  
and who had in France Commenced an Acquaintance with the Bishop of  
Glascow, the Queen of Scots Ambassador, and one Thomas Morgan an English Fugitive,  
and a busie Agent for her. Babington at first was of opinion, that as long as the  
Queen lived, an Invasion would signifie little or nothing, but when he understood,  
that Savage had undertaken to remove that Obstacle by killing her, altered his opinion;  
but was for joyning five more to Savage, to make sure of the Matter. Which being  
agreed on, they set forward the design of the Invasion. The design was by Babington  
imparted to the Queen of Scots, and she was to reward the Heroical Actors in this  
barbarous Attempt, or else their Posterities, in Case they perisht in it. And he was  
Commanded to pals his word to the six Gentlemen and the rest, concerning their re-  
ward for their Service. In this Conspiracy were engaged divers Gentlemen who were  
very Zealous for Popery. Edward Worsley, Brother to the Lord Worsley, Thomas Salis-  
bury of a Knights Family in Denbighshire, Charles Tilney of an ancient Family, who  
was then but lately reconciled to the Romish Church, Chideock Tichbourn of Southampton, Ed-  
ward Abington whose Father had been the Queens under Treasurer, Robert Gage of Surrey,  
John Treveris, and John Charnock of Lancashire, John Jones, whose Father was Yeoman  
of the Wardrobe to Queen Mary, Savage before named, Barnet of a noble Family in  
Ireland, and Henry Dun Clark in the Office of first Fruits and Tenths, and one Polley.

To every of these Gentlemen was a Part in this Conspiracy assigned, and all  
things went according to their hearts desire, as they thought. Nothing perplexed Babing-  
ton, But his Fears of being failed in the Foreign Aid, that was promised him, therefore  
to make sure of it, he resolved himself to go over into France, and to that purpose to  
send Ballard privately before, for whom by his Money under a Countersfeit name, he  
procured a License to Travel. And that there might not be the least Suspicion of  
himself, he insinuated into Secretary Walsingham, by means of Pollard, and earnestly be-  
lought him to procure him a License from the Queen to travel into France, promising  
her to do her extraordinary good Service, in pumping out, and discovering the secret  
designs of the Fugitives in behalf of the Queen of Scots, but as we say, forewarned  
thereunto, he being a faithful and cunning Secretary, by his Spies had discovered all

The Plot discovered.







**Q. Eliz.** Act aforesaid (as afore is said) mentioned, and all circumstances of the same, and of every of them; and thereupon according to the Tenour of the Act aforesaid, to give Sentence or Judgment; as upon good proof the Matter shall appear unto you: And therefore we command you that you do at such certain days and places, which you or the greater part of you, shall for that purpose settled agree upon, diligently proceed upon the premises in form aforesaid, &c.

**Mary Queen of Scots Tryed.**  
Camb. Annals  
l. 361.

The Commissioners met at *Robbingy Castle* the 11th. of October, 1586. and Tryed *Mary Queen of Scots*, the substance of the Tryal you may see in *Cambdens* *Annals* from Page 344, to 361. as he took the same out of the Commentaries and Memorials of *Edward Barker*, principal Register to the Queen, *Thomas Wheeler* publick Notary, Register of the Audience of *Chesham*, and other persons of Credit which were there present.

**The Sentence.**

On the 24th. of October all the Commissioners met at the *Star Chamber* at *Westminster* (to which place they had adjourned,) except the *Earls of Shrewsbury* and *Warwick*, which were both of them sick, at that time Sentence was pronounced, which Sentence was this. By their unanimous assents and consents they do pronounce and deliver, this their Sentence and Judgment, at the day and place last above mentioned; and say, that since the conclusion of the aforesaid Session of Parliament, in the Commission aforesaid specified; namely since the first day of June, in the 27th. Year aforesaid, and before the date of the said Commission, divers Matters have been compassed and imagined within this Realm of England, by *Anthony Babington* and others, with the Privy of the said *Mary* pretending a Title to the Crown of this Realm of England; tending to the hurt, death and destruction of the Royal Person of our said Lady the Queen: And also that since the aforesaid first day of June, in the 27th. Year aforesaid, and before the date of the Commission aforesaid; the aforesaid *Mary*, pretending a Title to the Crown of this Realm of England, hath compassed and imagined within this Realm of England, divers Matters tending to the hurt, death, and destruction of the Royal Person of our Sovereign Lady the Queen, contrary to the form of the Statute in the Commission aforesaid specified.

**The Parliament.**  
29. Eliz. Cap. 1.  
Rast. Stat. 2.  
Part. l. 334.

The twenty ninth of October following, the Parliament met, and the first Act they made, was an Act for the confirmation of the Proscription of *Thomas* late Lord *Paget*, *Charles Paget*, *Francis Englefield*, *Francis Throckmorton*, *William Shelley*, *Anthony Babington*, *Thomas Salisbury*, *Edward Jones*, *Edward Abbington*, *Charles Tilney*, *Chidiack Tichbourn*, *Robert Barnwell*, *John Charnock* and *John Travers*. The Preamble of which Act of Parliament strengthening the Credit of the former History, I have here inserted.

**An Act of Parliament for proscribing Babington and the rest.**

In most humble wise, beseecheth your Royal Majesty; the Lords Spiritual and Temporal, and all other your most Loving and Obedient Subjects, the Commons of this your most High Court of Parliament Assembled: That where *Thomas Paget* late Lord *Paget* late of *Drayton* in the County of *Middlesex*, *Francis Englefield* late of *London* Esq. *Charles Paget* late of *London* Esq; *Francis Throckmorton* late of *London* Esq; *William Shelley* late of *Clapham*, in the County of *Sussex* Esq; *Anthony Babington* late of *Dethick* in the County of *Derby* Esq; *Thomas Salisbury* late of *Leweny* in the County of *Denbygh* Esq; *Edward Jones* late of *Cadogan* in the same County of *Denbygh* Esq; *Edward Abbington* late of *Heallippe* in the County of *Worcester* Esq; *Charles Tilney* late of *London* Esq; *Chidiack Tichbourn* late of *Port Chester* in the County of *Southampton* Esq; *Robert Barnwell* late of *London* Gent. *John Charnock* late of *London* Gent. and *John Travers* late of *Prescot* in the County of *Lancaster* Gent. Having no fear of God before their Eyes, have most false and Treacherously committed, perpetrated and done many unnatural detestable and abominable Treasons, to the most fearful peril and danger of the destruction of your most Royal Person, and to the utter loss, dissolution, and destruction of this your Highnesses Realm of England; if God of his infinite goodness had not in due time revealed and given knowledge to your Highness of their Treasonous intent, of and for the which said Treasons being manifestly and plainly proved; the said Traitors and Offenders before named, have been lawfully indicted, and some of them have been, and are, lawfully and by due process of Law, and thereby justly attainted, and some other by Tryal of the Country and their own confessions, and judgment thereupon given lawfully and justly convicted, and attainted, according to the Laws of this your Realm; as by the Records of their several attainments more plainly it doth, and may, appear, and by the which several Attainments, some of the same Offenders have suffered pains of Death according to their demerits.

And



And then the Parliament Confirms their attainder, and confiscates their Lands and Tenements, Goods and Chattels.

Q. Eliz.

The next thing this Parliament did, was by their Votes to approve, and confirm the Sentence given against the Queen of Scots, and desired it might be published; the Reasons whereof were delivered in divers Speeches made in the House of Commons upon this occasion, and which are to be seen in Sir Simon D' Ewes his Journal at large. They were drawn from the dangers that threatned Religion, the Queens Person, and the Realm by means of Mary Queen of Scots who having been bred up in the Popish Religion, and sworn a confederate in the Holy League for the extirpation of the Protestant Religion, had now for a long time Arrogated unto her self, the Title of Queen of England while the Queen lived, whom as being excommunicate, she held it lawful to do mischief to, (as far as lay in her Power) and to take away her life, a thing meritorious: One who had over-thrown, and ruined sundry flourishing Families in the Kingdom, and cherished all the Treasonable designs and Rebellions in England, to spare her therefore, were nothing else but to spoil the People, who would take impunity in this Case much to heart, and would not think themselves discharged of their Oath of Association, unless she were punished according to her deserts, and lastly they called to her remembrance, how fearful the examples of Gods vengeance were upon King Saul for sparing Agag, and upon King Ahab for sparing the Life of Benhaddad.

The Tryal and  
Condemnation  
of Mary Queen  
of Scots appro-  
ved, and Her  
Execution de-  
sired by the  
Parliament,  
and their Rea-  
sons for it.  
D' Ewes  
Journal, 392,  
393, 395, 400,  
401, 405, 408.  
Camb. Annal.  
l. 3. f. 363.

These Reasons were strongly inforced by a Petition presented by the Parliament to the Queen: and by her answer it appears, what a great straight she was in, between her Natural inclinations to mercy backt with the consideration of the near Relation the Queen of Scots stood in to her, and the danger her Person and the Protestant Religion were in, sufficiently evidenced by an Oath which she her self said she had seen, where- in some had bound themselves to kill her within a Month. By which, she said, she saw her Subjects danger in her Person, which she would be careful to prevent; she told them she had not forgot the Association, they had entred into for her safety, which was a thing she never so much as thought of, till a great number of Hands and Seals to it were shewn her, that it had laid a perpetual tie and obligation upon her, to bear them a singular good Will and Love: That she had no greater comfort then in the Common-Wealths respect and affection towards her, and promised them that whatsoever the best of Subjects might expect at the hands of the best Princes, they might expect from her to be performed to the full.

D' Ewes  
Journal, f.  
400.  
Queen, Eliz.  
in a great  
straight.  
Camb. Annal.  
f. 363, 364,  
365.

After this she sent to the Lords by the Chancellor, and to the Commons by their Speaker Pickering, to enter anew into the consideration of this Matter, and to find out a more pleasing expedient, whereby both the Queen of Scots Life might be spared, and her own security provided for.

A message from  
Qu. Eliz. to the  
Parliament.  
Camb. Annal.  
f. 3. f. 365.

They Concur again in their former Opinion for these Reasons; the Queens safety (they said) could no ways be secured so long as the Queen of Scots lived, unless she should either seriously repent, and acknowledge her offence; or were kept with a closer or stricter Guard, and sufficient security given by Bond, or Oath for her good Demeanour, or delivered Hostages, or else departed the Realm. They proved by invincible Reasons, that neither by expectation of Reformation in the disposition of the Queen of Scots, (if the Queens Majesty should spare her Life.) Nor yet by safer or stronger Guarding of her Person, nor by her promise upon word, or Oath, nor by the Hostages of other Princes or Allies, nor by her Banishment, nor by the revocation of the Bull of Pope Sixtus Quintus, nor yet by the Bond or Word of a Prince, or of any or all the Princes her Allies, nor by any other way or means whatsoever, other then by the speedy Execution to Death of the said Scottish Queen, the safety or continuance of the true Religion, of the most Royal Person of the Queens Majesty, and all the peaceable State of this Realm, could in any way be provided for and Established. As for her repentance they were out of all hopes of it, considering that she had so ill required the Queen who had saved her Life; yet would not acknowledge her fault, as for a sure and stricter Custody, Bonds, Oaths and Hostages, they esteemed them all as nothing worth, because if the Queens Life were once taken away, all these would presently vanish, and if she should depart the Realm they feared least she should presently take up Arms, and invade the same, therefore they pressed hard that the Sentence might

The Parlia-  
ment Concur  
in their former  
Opinion, their  
Reasons for it.

D' Ewes  
Journal, f.  
405.



Q. Eliz.

might be put in Execution, because as it were injustice to deny Execution of the Law to any one of her Subjects, that should demand it; so much more to the whole Body of her People of England, unanimously and with one Voice humbly and Instantly suing for the same.

The Answer to this Speech will, I hope, give the Reader great satisfaction, as to Queen Elizabeth's procedure in this weighty concern; and therefore I have here inserted it *verbatim*, as I find it in *Camden*, which is as followeth:

The Queens  
Speech in An-  
swer to the  
Parliaments  
Reasons.  
Camb. Annal.  
l. 366.

'Very displeasing is that way where the setting out Progress and Journeys end, yield nothing but trouble and vexation. I have this day been in greater conflict with my self then ever I was in all my Life; whether I should speak or hold my peace? If I should speak and not complain, I shall dissemble, if I should be silent; all your Labour and Pains taken were in vain; and if I should complain, it might seem a strange and unusual thing. Yet I confess, that my hearty desire was, that some other means might have been devised to provide for your security and my own safety, then this which is now propounded: So that I cannot but complain, tho not of you; yet to you, since I perceive by your Petition, that my safety dependeth wholly upon the ruin of another. If there be any that think I have spun out the time on purpose to get commendation by a seeming shew of Clemency; they do me wrong undeservedly, as he knoweth, who is the searcher of the most secret thoughts of the Heart; or if there be any that are perswaded, the Commissioners durst pronounce no other Sentence, for fear they should displease me, or seem to fail of their Care for my preservation, they do but wrong me with such injurious conceits; for either those whom I have put in Trust, have failed of their Duties; or else they acquainted the Commissioners in my Name, that my will and pleasure was, that every one should act freely according to his Conscience; and what they thought not fit to be made publick, that they should communicate to me in private. It was of my favourable inclination towards her, that I desired some other way might be found out to prevent this mischief. But since it is now resolved, that my security is desperate without her death, I find a great reluctancy and trouble within me, that I, who have, in my time, pardoned so many Rebels, wincked at so many Treasons, or neglected them by silence, should now seem to shew my self cruel towards so great a Princess.

Queen Eliza-  
beth foresaw  
she should be  
reflected upon  
for this Acti-  
on, but by the  
Papists only.  
She could not  
suspect the Pro-  
testants would  
judge her of  
her, or misre-  
present her.

'I have since I came to the Government of this Realm, seen many defamatory Libels and Pamphlets against me, taxing me to be a Tyrant, wellfare the Writers hearts; I believe their meaning was to tell me News; and News indeed it was to me to be branded with the note of Tyranny, I would it were as great news to hear of their wickedness and impieties. But what is it which they will not venture to write now, when they shall hear that I have given my consent, that the Executioners hands should be embrewed in the Blood of my nearest Kinswoman? But so far am I from cruelty, that though it were to save my own Life; I would not offer her the least violence: Neither have I been so careful how to prolong mine own Life, as how to preserve both hers and mine; which that it is now impossible to do, I am heartily troubled; I am not so void of sense and judgment, as not to see mine own danger before mine Eyes; nor so indiscreet as to sharpen a Sword to cut my own Throat; nor so egregiously careless as not to provide for the safety of mine own Life. This I consider with my self; that many a Man would hazard his own Life, to save the Life of a Princess; but I am not of their opinion, these things have I many times thought upon seriously with my self.

'But since so many have both written and spoken against me, give me leave I pray you, to say somewhat in mine own defence, that ye may see what manner of Woman I am, for whose safety and preservation you have taken such extraordinary care; wherein as I do with a most thankful heart discern and need your great vigilancy; so I am sure, I shall never retnise it, had I as many lives as all you together. When first I took the Scepter into my hand, I was not unmindful of God the giver, and therefore I began my Reign with securing his Service and the Religion I have been both born in, bred in, and I trust shall dye in. And thought I was not ignorant how many dangers I should meet withal at home for my alterd Religion, and how many great Brains abroad of a contrary Profession would in that respect be as an Hostile done I myself and myself would defend both me and my Catholic Majesty, it is, that so many



Law may be effectually executed, if her Majesties Life shall be taken away by any violent, or unnatural means (which God defend.)

Q. Eliz.

It is further enacted, by the Authority aforesaid, That the Lords and others, which shall be of Her Majesties Privy Council, at the time of such her Decease, or the more part of the same Council joining unto them, for their better Assistance; the other Lords, and seven other Lords of Parliament at the least (foreseeing that none of the said Lords, or Council, be known to be Persons that may make any Title to the Crown) those Persons which were Chief Justices of either Bench, Master of the Rolls, and Chief Baron of the Exchequer, at the time of her Majesties Death, or in Default of the said Justices, Master of the Rolls, and Chief Baron, some other of those which were Justices of some of the Courts of Record at Westminster, at the time of her Highnesses Decease, to supply their Place, or any twenty four or more of them, whereof eight to be Lords of Parliament, not being of the Privy Council, shall, to the utmost of their Power and Skill, examine the Cause and Manner of such her Majesties Death, and what Persons shall be guilty thereof, and all Circumstances concerning the same, according to the true meaning of this Act; and thereupon, shall, by open Proclamation, pronounce the same; and without any delay, with all forcible and possible means, execute to Death, all such as shall be found to be Offenders therein, and all their Heirs and Successors. And for the doing thereof, and for the withstanding and supporting of all such Power and Forces as shall any way be levied or stirred, in disturbance of the due Execution of this Law, shall, by virtue of this Act, have Power and Authority, not only to raise and use such Forces as shall in that behalf be thought convenient, but also to use all other Means and things possible and necessary for the maintaining of the same Forces, and prosecution of the said Offenders; and if any such Power and Force shall be levied or stirred, in disturbance of the due Execution of this Law, by any Person that shall or may pretend any Title to the Crown of this Realm, whereby this Law may not in all things be fully executed, according to the Effect and true Meaning of the same: That then, every Person, that, by virtue of this Act, be therefore excluded and disabled for ever, to have or claim, or pretend to have or claim the Crown of this Realm, or of any other Part thereof, or any former Law or Statute whatsoever to the contrary notwithstanding.

Commissioners to try such Traitors, in case the Queen should be killed.

It is further enacted, by the Authority aforesaid, that all and every the Subjects of all her Majesties Realms and Dominions, shall, to the utmost of their Power, obey and assist the said Council, and all other the Lords, and other Persons, which shall be appointed unto them for assistance, as is aforesaid, in all things to be done and executed, according to the Effect and Intention of this Law; and that no Subject of any Realm shall in any wise be impeached in Body, Land, or Goods, at any time hereafter, for any thing to be done or executed, according to the Tenor of this Law, any Law or Statute heretofore made to the contrary, in any wise notwithstanding. And whereas of late, many of her Majesties good and faithful Subjects, have, in the Name of God, and with the Assistance of a good Conscience, by one united and common Writing, under their Hand and Seal, and by several others, both in Writing, and otherwise, joined themselves together in one Bond and Association, to withstand and oppose to the execution of all such malicious, malicious, and Attempts against her Majesty and Royal Person; now for the explaining of all such Ambiguities and Doubts, which otherwise might happen to grow, by reason of any sinister or wrong Construction or Interpretation, to be made or inferred, of, or upon the Words or Meaning thereof.

It is enacted and enacted, by the Authority of this present Parliament, that the said Association, and every Article and Sentence therein contained, as well concerning the outlawing, extending or disabling of any Persons, that may or shall pretend any Title to come to the Crown of this Realm, and also for the punishing and taking Revenge of any Person, for any such wicked Act or Attempt, as is mentioned in the same Association, shall, and ought to be in all things, executed and observed, according to the true Intent and Meaning of this Act, nor otherwise, nor against any other Person or Persons.

The Association approved and confirmed.

many



Q. Eliz.

The latter of the said two Acts of Parliament, is intituled, *An Act against Jesuits, Seminary Priests, and such other like disobedient Persons.* The Preamble runs thus.

27 Eliz. cap.  
2. Rast. Stat.  
2. part. f.  
285.  
Treason for  
Priests and  
Jesuits to come  
into England:  
Harbouring  
them Felony,  
&c.

Whereas divers Persons, called or professed Jesuits, Seminary Priests, and other Priests, which have been, and from time to time are made in the Parts beyond the Seas; by, or according to the Order and Statutes of the Romish Church, have, of late years, come in, and been sent, and may do come and are sent into this Realm of England, and other the Queens Majesties Dominions, on purpose (as it hath appeared, as well by sundry of their own Examinations and Confessions, as by divers other manifest Means and Proofs) not only to withstand Her Highnesses Subjects from their due Obedience to Her Majesty, but also to stir up and move Sedition, Rebellion and open Hostility, within the same Her Highnesses Realms and Dominions, to the great endangering of the Safety of her most Royal Person, and to the utter Ruine, Desolation and Overthrow of the whole Realm, if the same be not the sooner, by some good Means, foreseen and prevented.

For reformation whereof, it is enacted, That all Jesuits, Seminary Priests, and other Priests whatsoever, Ordained within or without the Queens Dominions, by virtue of the Popes Authority, should depart within forty Days, That those who should afterwards return into the Kingdom, should be guilty of High Treason. That he who should wittingly and willingly Harbour, Receive and Maintain them, should be guilty of Felony; that those who were brought up in Seminaries, if they returned not within six Months after Notice given, and submitted not themselves to the Queen before a Bishop, or two Justices, should be guilty of High Treason, and if any, so submitting themselves, should within ten years approach the Queens Court, or come within ten Miles thereof, their Submission should be void: That those who should, by any Means whatsoever, lend or convey over any Money to Students in such Seminaries, should incur the Penalty of a Premunire: That if any of the Peers of the Realm, that is, Dukes, Marquesses, Earls, Viscounts, or Barons of Parliament, should offend against these Laws, he should be brought to his Tryal by his Peers. That if any should know of any such Jesuits, or other Priests above said, lurking within the Realm, and should not discover them within twelve Days, he should be fined and imprisoned at the Queens Pleasure. That if any Man should be suspected to be a Jesuit or Priest, as aforesaid, and not submit himself to Examination, he should for his Contempt, be imprisoned till he did submit himself. That he who should send his Children, or any others, to Seminaries and Colleges of the Popes Profession, should be fined in an hundred Pounds of English Money, and that those who were so sent thither, should not succeed as Heirs, nor enjoy any Estates, which should any way fall to them; the like for all such as should not return home from the said Seminaries within a year, unless they did conform themselves to the Church of England: That if the Wardens or Officers of the Ports, should permit any others, besides Sea-men and Merchants, to cross the Seas, without Licence of the Queen, or her Privy Counsellors, they should be put out of their Places, and the Masters of such Ships as carried them, should forfeit their Ships and Goods, and suffer Imprisonment for a whole Year.

Reflections upon  
the foregoing  
Plots, Treasons  
and Acts  
of Parliament  
occasioned by  
them.

From which said Plots, Conspiracies and Treasons, and the said Acts of Parliament occasioned by the same, I observe these things amongst many others observable.

1. That there are no Villanies that can be imagined so bad, but the Romish Clergy, even the Pope himself, will tell you is lawful to be Committed; to carry on the interest of that Religion; and instruments enough are to be found, amongst Men of that Communion, to undertake the Committing thereof, one instance whereof we have in this Party, who did not only think it lawful, but undertook it, to murder his own Lawful Sovereign, and had Authority so to do from the Pope himself; and that he might sit in the House of Commons, must needs be Guilty of a Wilful Perjury; for by 13. Eliz. cap. 2. none could sit in that House, but he who first had taken the Oath of Supremacy, and that he did sit there is plain from the History, and tho it doth not appear that he had a Dispensation for it, yet 'tis not to be doubted but that he was sure of a Pardon, in case he had not a Dispensation.

2. That



Q. Eliz.

That the Protestants (in those days) thought it not only lawful, but their Duty to Associate for the preservation of their Prince, and of their Religion, and having so done, they were so far from being blamed by the Parliament, that the Parliament did esteem it not only as *Useful*, but a *Commendable Act*, and added their Sanction, to confirm what before they judged *Lawful*.

That the Parliament in the 27th. Year of Queen Elizabeths Reign, were so far from questioning, their own power of determining and limiting the Crown, and the Succession thereof, that they did not only think it in their Power, but reduced it into Act too, to make the Successor Guilty of High Treason, that should imbrue His or Her hands in the Blood of the Predecessor: and hereby altered the Law, that the Accession to the Crown purges the Treason; because all Persons named in Acts of Parliament, (even the King himself) are bound by such Acts of Parliament, wherein they are named, they being no ways alterable; but by the same power (not Persons) that made them.

1.H.7.4. Fitz.  
Abr. tit. Parl.  
3. Bro. Abr.  
tit. Parl. 37.  
Plowd. 238.b.

That the severity of the Laws hitherto made, did not actually deter the Papists from Plotting and Conspiring the Death of the Queen, and the subverting the Protestant Religion; Nor was it likely to be effected, so long as the Jesuits, Seminary Priests, and other Priests were tolerated here, for it hath been observed by some, with a great deal of Truth, that there was never yet a Plot against the Government, but the Popish Priests had their share in it. It was therefore thought necessary to follow the example of Swedenland, the State of Venice and other Countries, who have banisht the Jesuits, and wisely to carry it a little further, and banish Priests too they being such Disturbers of the State; which was accordingly done by 27. Eliz. cap. 2.

But lest the Papists should again object against the Authorities I cite for the History of the Fact, I shall here insert the very Words of their Secular Priests in their important Considerations, whereby the truth of the Fact is Confest, the Words are these.

About the time of the overthrow of the Popes Forces in Ireland, his Holiness (by the false instigation of the Jesuits) plotted with the King of Spain, for the assistance of the Duke of Guise, to enterprize upon the sudden, a very desperate design against Her Majesty: and for the Delivery and advancement to the Crown of the Queen of Scotland.

The Secular Priests confess the truth of all the foregoing Account. Collect. f. 44. The Popes Plot with King of Spain and Duke of Guise. Mendoza.

For the better asserting whereof Mendoza the Jesuit, and Ledger for the King of Spain in England, set on work (a worthy Gentleman otherwise) one Mr. Francis Throckmorton and divers others. And whilst the same was Contriving (as afterwards Mr. Throckmorton himself Confessed 1584) the Jesuitical humour had so possessed the hearts of sundry Catholics; as we do unfeignedly rue in our hearts the remembrance of it, and are greatly ashamed that any Person so intitled should ever have been so extremely bewitched: Two Gentlemen about that time also, viz. Anno

Throgmortons Confession you have Printed, Camb. Annal. l. 3. f. 297. Arden and Somervil. Dr. Parry. Earl of Northumberland.

1583. Mr. Arden and Mr. Somervil were convicted by the Laws of the Realm, for having purposed and contrived how they might have laid violent hands upon Her Majesties sacred Person. Mr. Somervils Confession therein was so notorious, as it may not be either qualified or denied. And Dr. Parry the same Year was plotting with Jesuits, how he might have effected the like Villany: How the worthy Earl of Northumberland was about this time brought into the said Plot by the Duke of Guise (then still in hand) we will pretermitt. Mr. Parsons, that was Actor in it, could tell the Story very roundly at Rome, it wrought the Earls overthrow in 1585, which may justly be ascribed to the Jesuitical Practices of the Jesuite Mendoza, and others of that Crew.

They mentioned several other Treasons, which I shall not here take Notice of, but reserve them till I come to give the further Account of their Treasons, and only set down the Conclusion of this Paragraph. These things (say they) we would not have touched, had they not been known in effect to this part of the World, and that we thought it our Duties to shew our own dislike of them, and to clear Her Majesty (so far as we may) from such imputations of more then barbarous Cruelty towards us, as the Jesuits in their Writings have cast by Heaps upon her: They themselves (as we still think in our Consciences, and before God) having been, from time to time, the very Causes of all the Calamities which any of us have endured in England, since Her Majesties Reign; which we do not write simply to excuse Her Highness, altho we must Confess we can be contented to indure much, rather then to seek her Dishonour: but for that we think few Princes living, being perswaded in Religion as Her Majesty is, and so provoked as she hath been, would have dealt more mildly with such their Subjects (all Circumstances considered) then she hath done with us.



**Q. Eliz.**

The Earl of Arund. tried and fined only. Camb. Annals. f. 330. He was in 1589. tried for high Treason, and condemned. Camb. Annals. f. 336. Foulis Hist. 1. 7. cap. 5. sec. 1. f. 343. Bakers Chron. f. 367.

Let us now see what reason can be given for making the rest of the Penal Laws, that were made against the Papists in this Queens Reign.

The first thing I meet with remarkable after the making these Laws forementioned, is the fining the Earl of Arundel 5000 pounds in 1586 for holding Correspondence with Allen and Parsons the Jesuits, the Queens Enemies for that publicly in writing, he had questioned the Justice of the Kingdom, and that he had intentions of departing the Realm without Licence. The Earl protesting his obedience to the Queen, and his Love to his Countrey, modestly excused himself by his Love to the Catholic Religion, and his ignorance of the Law. Confessed his fault and submitted.

In the same year, a very dangerous Conspiracy was discovered against Queen Elizabeth, in the English Seminary at Rheims, there were some who were so bigotted to the Popish Religion, that they thought the Pope could by his Authority, do any thing, and that the aforementioned Bull of Pius, for deposing the Queen was dictated by the Holy Ghost, and thought it a Meritorious Act to take away her Life, and doubted not of a Canonisation, as Martin if they fell in the Attempt. William Gifford Doctor in Divinity, Gilbert Gifford, and one Hodgson Priests did so infuse this reasonable Doctrine into the mind of one John Savage, a Ballard as was reported, that he readily Vowed to kill the Queen.

One Ballard, an English Priest at Rheims, bestirs himself in England and Scotland for carrying on the Design, and for that purpose prepares Disciples, then goes into France, and treats with Mendoza before named, Charles Page and others, about invading of England, judging they could never have a fairer opportunity, then at that juncture of time, forasmuch as the Pope, the Spaniard, the Duke of Guise, and the Prince of Parma, were all resolved to set upon England, thereby to divert the War from the Netherlands: Having delivered the Message there he returns for England to promote the design here, gets to London, where in a Soldiers habit, under the false Name of Captain Fescue he agitates the Plot.

At London he discovered this Affair to one Mr. Anthony Babington of Derbyshire, a young Gentleman, greatly addicted to the Romish Religion, and who had in France Commenced an Acquaintance with the Bishop of Glasgow, the Queen of Scots Ambassador, and one Thomas Morgan an English Fugitive, and a busie Agent for her. Babington at first was of opinion, that as long as the Queen lived, an Invasion would signifie little or nothing, but when he understood, that Savage had undertaken to remove that Obstacle by killing her, altered his opinion, but was for joyning five more to Savage, to make sure of the Matter. Which being agreed on, they set forward the design of the Invasion. The design was by Babington imparted to the Queen of Scots, and she was to reward the Heroical Act in this barbarous Attempt, or else their Posterity in Case they perish in it. And he was Commanded to pals his word to the six Gentlemen and the rest, concerning their reward for their Service. In this Conspiracy were engaged divers Gentlemen who were very Zealous for Poperie, Edward Wenden, Brother to the Lord Wenden, Thomas Salway of a Knights Family in Denbighshire, Charles Tilly of an ancient Family, who was then but lately reconciled to the Romish Church, Chideock Tichburn of Southampton, Edward Abington whose Father had been the Queens under Treasurer, Robert Gage of Surrey, John Travers, and John Charnock of Lancashire, John Jones whose Father was Yeoman of the Wardrobe to Queen Mary, Savage before named, Barnwel of a noble Family in Ireland, and Henry Dun Clark in the Office of first Fruits and Tithes, and one Polleyob.

To every of these Gentlemen was a Part in this Conspiracy assigned, and all things went according to their hearts desire, as they thought. Nothing perplexed Babington, But his Fears of being failed in the Design did that was promised him, therefore to make sure of it, he resolved himself to go over into France, and to that purpose he End Ballard privately before, for whom by his Money under a Counters name he procured a Licence to Travel. And that there might not be the least Suspicion of himself, he insinuated into Secretary Walsingham, by means of Pells, and earnestly besought him to procure him a Licence from the Queen to travel into France, promising her to do her extraordinary good Service, in pumping out, and discovering the secret designs of the Fugitives in behalf of the Queen of Scots, but as we say, forewarned he being a faithful and cunning Secretary, by his Spies had discovered all

The Plot discovered.



and informed the Queen, and therefore only commended Salisbury pretended design, and made him fair Promises, and so from time to time delayed him. And this is the instrument in discovering this Plot, was one Gilbert Gifford (who lived in England under the Name of Lafertie in mind Salisbury of his Oath) but had informed the Secretary what he was, and so what purpose sent into England now to the greater part of you

This having gone on for some time, the Queen apprehending there might be great danger in letting it proceed further, ordered Ballard to be apprehended, who was seized on before he was aware in *Babington's House*, just as he was setting out for *Flower's*. *Babington* and some others of the Confederates, being jealous the design was discovered, hid themselves in *St. Johns Wood* near *London*. Notice being given of their hiding place, they are proclaimed Traitors, at last are found, and seized on, and the rest of their fellow Rebels, fourteen of whom were executed in *September* 1586. in *St. Giles* in the *Fields*, where they used to meet, and consult about their intended murdering of the Queen, and invading the Kingdom.

Mary Queen of Scots, having been at the bottom in all these designs, and there being no probability of the Kingdoms continuing in the safe and secure exercise of the Protestant Religion, under their Protestant Queen, so long as she was in being: The *Papists* being assured by her, that in case she had the Crown, she would introduce *Rozary*; Queen Elizabeth was advised to try her for Treason, which she was with great difficulty prevailed to do, and issued out a Commission grounded upon a Law therein before set forth. The Commissioners appointed to Try her were these

John Archbishop of Canterbury, Sir Thos. Bromley, Kt. Chancellor of England, William Lord Burleigh Treasurer of England, William Lord Marques of Winchester, Edm. Earl of Oxford great Chamberlain of England, George Earl of Shroubury, Earl Marshal, Henry Earl of Kent, Henry Earl of Derby, William Earl of Worcester, Edm. Earl of Rutland, Ambrose Earl of Warwick Master of the Ordinance, Henry Earl of Pembroke, Robert Earl of Leicester Master of the Horse, Henry Earl of Lincoln, Anthony Vicar Mountague, Charles Lord Howard Lord High Admiral of England, Henry Lord of Howdon Lord Chamberlain, Henry Lord Abergavenny, Edward Lord Zouch, Edward Lord Morley, William Lord Cobham, Lord Warden of the Cinque Ports, Edm. Lord Stafford, Arthur Lord Grey of Wilton, John Lord Lumley, John Lord Scourton, William Lord Saunders, Lewin Lord Mordant, John Lord St. John of Bletmeslee, Thomas Lord Buckhurst, Henry Lord Compton, Henry Lord Cheney, Sir Francis Knolles Kt. Controller of the Houshold, Sir Christopher Hatton Vice-Chamberlain, Sir Francis Walsingham Secretary, William Davison Esq; Sir Ralph Sadler Chancellor of the Duchy of Lancaster, Sir Walter Mildmay Chancellor of the Exchequer, Sir Amias Pawlet Captain of the Isle of Jersey, John Woolly Esq; Secretary for the Latin Tongue, Sir Christopher Wright Chief Justice of the Common-Pleas, Sir Edward Anderson Chief Justice of the Bench, Sir Roger Manwood Chief Baron, Sir Thomas Gawdy and William Benjamin Judges.

[illegible]



# An Historical Account of making the Penal Laws

**Q. Eliz.**

Act aforesaid (as afore is said) mentioned, and all circumstances of the same, and of every of them, and thereupon according to the Tenour of the Act aforesaid, to give Sentence or Judgment, as upon good proof the Matter shall appear unto you. And therefore we command you that you do at such certain days and places, which you or the greater part of you, shall for that purpose see and agree upon, diligently proceed upon the premises in form aforesaid, &c.

**Mary Queen of Scots Tried. Camb. Annals f. 361.**

The Commissioners met at *Westminster* the 1<sup>st</sup> of October, 1586. and Tried *Mary Queen of Scots*, the substance of the Tryal you may see in *Cambden's Annals* from Page 344, to 361. as he took the same out of the Commentaries and Memorials of *Edward Barker*, principal Register to the Queen, *Thomas Wheeler* publick Notary, Register of the Audience of *Canterbury*, and other persons of Credit which were there present.

**The Sentence.**

On the 25<sup>th</sup> of October all the Commissioners met at the *Star Chamber* at *Westminster* (to which place they had adjourned,) except the Earls of *Shrewsbury* and *Warwick*, which were both of them sick, at that time Sentence was pronounced, which Sentence was this. By their unanimous assents and consents they do pronounce and deliver, this their Sentence and Judgment, at the day and place last above mentioned, and say, that since the conclusion of the aforesaid Session of Parliament, in the Commission aforesaid specified; namely since the first day of *June*, in the 27<sup>th</sup> Year aforesaid, and before the date of the said Commission, divers Matters have been compassed and imagined within this Realm of *England*, by *Anthony Babington* and others, with the Privy of the said *Mary* pretending a Title to the Crown of this Realm of *England*; tending to the hurt, death and destruction of the Royal Person of our said Lady the Queen: And also that since the aforesaid first day of *June*, in the 27<sup>th</sup> Year aforesaid, and before the date of the Commission aforesaid; the aforesaid *Mary*, pretending a Title to the Crown of this Realm of *England*, hath compassed and imagined within this Realm of *England*, divers Matters tending to the hurt, death, and destruction of the Royal Person of our Sovereign Lady the Queen, contrary to the form of the Statute in the Commission aforesaid specified.

**The Parliament. 29. Eliz. Cap. 1. Raft. Stat. 2. Part. f. 334.**

The twenty ninth of October following, the Parliament met, and the first Act they made, was an Act for the confirmation of the Proscription of *Thomas* late Lord *Paget*, *Charles Paget*, *Francis Englefield*, *Francis Throckmorton*, *William Shelley*, *Anthony Babington*, *Thomas Salisbury*, *Edward Jones*, *Edward Abington*, *Charles Tilney*, *Chidiack Tichbourn*, *Robert Barnwell*, *John Charnock* and *John Travers*. The Preamble of which Act of Parliament strengthening the Credit of the former History, I have here inserted.

**An Act of Parliament for proscribing Babington and his accomplices.**

In most humble wise, beseecheth your Royal Majesty; the Lords Spiritual and Temporal, and all other your most Loving and Obedient Subjects, the Commons of this your most High Court of Parliament Assembled: That where *Thomas Paget* late Lord *Paget* late of *Drayton* in the County of *Wiltshire*, *Francis Englefield* late of *London* Esq; *Charles Paget* late of *London* Esq; *Francis Throckmorton* late of *London* Esq; *William Shelley* late of *Clapham*, in the County of *Sussex* Esq; *Anthony Babington* late of *Dethick* in the County of *Derby* Esq; *Thomas Salisbury* late of *Leweny* in the County of *Denbygh* Esq; *Edward Jones* late of *Cadogan* in the same County of *Denbygh* Esq; *Edward Abington* late of *Henlippe* in the County of *Worcester* Esq; *Charles Tilney* late of *London* Esq; *Chidiack Tichbourn* late of *Port Chester* in the County of *Southampton* Esq; *Robert Barnwell* late of *London* Gent. *John Charnock* late of *London* Gent. and *John Travers* late of *Prescot* in the County of *Lancaster* Gent. Having no fear of God before their Eyes, have most false and Treacherously committed, perpetrated and done many unnatural detestable and abominable Treasons, to the most fearful peril and danger of the destruction of your most Royal Person, and to the utter loss, dissolution, and destruction of this your Highnesses Realm of *England*; if God of his infinite goodness had not in due time revealed and given knowledge to your Highnesses of their Treacherous intent, of and for the which said Treasons being manifestly and plainly proved; the said Treasons and Offenders before named, have been lawfully indicted, and some of them have been, and are, lawfully and by due Process due Law, and thereby justly attainted, and some other by Tryal of the Country and their own confessions, and judgment thereupon given lawfully and justly convicted, and attainted, according to the Laws of this your Realm; as by the Records of their several attainders more plainly is seen, and may, appear, and for the which several offences, some of the same Offenders have suffered pains of Death according to their demerits.

And



And then the Parliament Confirms their attainder, and confiscates their Lands and Tenements, Goods and Chattels.

Q. Eliz.

The next thing this Parliament did, was by their Votes to approve, and confirm the Sentence given against the Queen of Scots, and desired it might be published; the Reasons whereof were delivered in divers Speeches made in the House of Commons upon this occasion, and which are to be seen in Sir Simon D' Ewes his Journal at large. They were drawn from the dangers that threatned Religion, the Queens Person, and the Realm by means of Mary Queen of Scots who having been bred up in the Popish Religion, and sworn a confederate in the Holy League for the extirpation of the Protestant Religion, had now for a long time Arrogated unto her self, the Title of Queen of England while the Queen lived, whom as being excommunicate, she held it lawful to do mischief to, (as far as lay in her Power) and to take away her life, a thing meritorious: One who had over-thrown, and ruined sundry flourishing Families in the Kingdom, and cherished all the Treasonable designs and Rebellions in England, to spare her therefore, were nothing else but to spoil the People, who would take impunity in this Case much to heart, and would not think themselves discharged of their Oath of Association, unless she were punished according to her deserts, and lastly they called to her remembrance, how fearful the examples of Gods vengeance were upon King Saul for sparing Agag, and upon King Abah for sparing the Life of Benhaddad.

The Tryal and Condemnation of Mary Queen of Scots approved, and Her Execution desired by the Parliament, and their Reasons for it. D' Ewes Journal, 392, 393, 395, 400, 401, 405, 408. Camb. Annal. l. 3. f. 363.

These Reasons were strongly inforced by a Petition presented by the Parliament to the Queen: and by her answer it appears, what a great straight she was in, between her Natural inclinations to mercy backt with the consideration of the near Relation the Queen of Scots stood in to her, and the danger her Person and the Protestant Religion were in, sufficiently evidenced by an Oath which she her self said she had seen, wherein some had bound themselves to kill her within a Month. By which, she said, she saw her Subjects danger in her Person, which she would be careful to prevent; she told them she had not forgot the Association, they had entred into for her safety, which was a thing she never so much as thought of, till a great number of Hands and Seals to it were shewn her, that it had laid a perpetual tie and obligation upon her, to bear them a singular good Will and Love: That she had no greater comfort then in the Common-Wealths respect and affection towards her, and promised them that whatsoever the best of Subjects might expect at the hands of the best Princes, they might expect from her to be performed to the full.

D' Ewes Journal, f. 400. Queen, Eliz. in a great straight. Camb. Annal. f. 363, 364, 365.

After this she sent to the Lords by the Chancellor, and to the Commons by their Speaker Puckering, to enter anew into the consideration of this Matter, and to find out a more pleasing expedient, whereby both the Queen of Scots Life might be spared, and her own security provided for.

A message from Qu. Eliz. to the Parliament. Camb. Annal. f. 3. f. 365.

They Concur again in their former Opinion for these Reasons; the Queens safety (they said) could no ways be secured so long as the Queen of Scots lived, unless she should either seriously repent, and acknowledge her offence; or were kept with a closer or stricter Guard, and sufficient security given by Bond, or Oath for her good Demeanour, or delivered Hostages, or else departed the Realm. They proved by invincible Reasons, that neither by expectation of Reformation in the disposition of the Queen of Scots (if the Queens Majesty should spare her Life.) Nor yet by safer or stronger Guarding of her Person, nor by her promise upon word, or Oath, nor by the Hostages of other Princes or Allies, nor by her Banishment, nor by the revocation of the Bull of Pope Sixtus, nor yet by the Bond or Word of a Prince, or of any or all the Princes her Allies, nor by any other way or means whatsoever, other then by the speedy Execution to Death of the said Scottish Queen, the safety or continuance of the true Religion, of the most Royal Person of the Queens Majesty, and all the peaceable State of the Realm, could in any way be provided for and Established. As for her repentance they were out of all hopes of it, considering that she had so ill requited the Queen who had saved her Life; yet would not acknowledge her fault, as for a surer Guard, stricter Custody, Bonds, Oaths and Hostages, they esteemed them all as nothing worth, because if the Queens Life were once taken away, all these would presently vanish, and if she should depart the Realm they feared least she should presently take up arms, and invade the same, therefore they pressed hard that the Sentence

The Parliament Concur in their former Opinion, their Reasons for it.

D' Ewes Journal, f. 405.



Q. Eliz.

might be put in Execution, because as it were injustice to deny Execution of the Law to any one of her Subjects, that should demand it; so much more to the whole Body of her People of England, unanimously and with one Voice humbly and Instantly suing for the same.

The Answer to this Speech will, I hope, give the Reader great satisfaction, as to Queen Elizabeth's procedure in this weighty concern; and therefore I have here inserted it *verbatim*, as I find it in *Camden*, which is as followeth:

The Queens

Speech in An-

swer to the

Parliament

Reasons.

Camb. Annal.

f. 366.

'Very displeasing is that way where the setting out Progress and Journeys end, yield nothing but trouble and vexation. I have this day been in greater conflict with my self then ever I was in all my Life; whether I should speak or hold my peace? If I should speak and not complain, I shall dissemble, if I should be silent; all your Labour and Pains taken were in vain; and if I should complain, it might seem a strange and unusual thing. Yet I confess, that my hearty desire was, that some other means might have been devised to provide for your security and my own safety, then this which is now propounded: So that I cannot but complain, tho not of you; yet to you, since I perceive by your Petition, that my safety dependeth wholly upon the ruin of another. If there be any that think I have spun out the time on purpose to get commendation by a seeming shew of Clemency; they do me wrong undeservedly, as he knoweth, who is the searcher of the most secret thoughts of the Heart; or if there be any that are perswaded, the Commissioners durst pronounce no other Sentence, for fear they should displease me, or seem to fail of their Care for my preservation, they do but wrong me with such injurious conceits; for either those whom I have put in Trust, have failed of their Duties; or else they acquainted the Commissioners in my Name, that my will and pleasure was, that every one should act freely according to his Conscience; and what they thought not fit to be made publick, that they should communicate to me in private. It was of my favourable inclination towards her, that I desired some other way might be found out to prevent this mischief. But since it is now resolved, that my security is desperate without her death, I find a great reluctancy and trouble within me, that I, who have, in my time, pardoned so many Rebels, winked at so many Tresons, by neglected them by silence, should now seem to shew my self cruel towards so great a Princess.

Queen Eliza-

beth foresaw

she should be

reflected upon

for this Affai-

on, but by the

Papists only

She could not

suspect the Pro-

testants would

judge her of

hers, or rather

better than

before.

'I have since I came to the Government of this Realm, seen many defamatory Libels and Pamphlets against me, taxing me to be a Tyrant, wellfare the Writers hearts; I believe their meaning was to tell me News; and News indeed it was to me to be branded with the note of Tyranny, I would it were as great news to hear of their wickedness and impieties. But what is it which they will not venture to write now, when they shall hear that I have given my consent, that the Executioners hands should be embrewed in the Blood of my nearest Kinswoman? But so far am I from cruelty, that though it were to save my own Life; I would not offer her the least violence: Neither have I been so careful how to prolong mine own Life, as how to preserve both hers and mine; which that it is now impossible to do, I am heartily troubled; I am not so void of sense and judgment; as not to see mine own danger before mine Eyes; nor so indiscreet as to sharpen a Sword to cut my own Throat; nor so egregiously careless as not to provide for the safety of mine own Life. This I consider with my self; that many a Man would hazard his own Life; to save the Life of a Princess; but I am not of their opinion, these things have I many times thought upon seriously with my self.

'But since so many have both written and spoken against me, give me leave I pray you, to say somewhat in mine own defence, that ye may see what manner of Woman I am, for whose safety and preservation you have taken such extraordinary care, wherein as I do with a most thankful heart discern and need your great vigilancy; so I am sure, I shall never requite it, had I as many lives as all my together.

'When first I took the Scepter into my hand, I was not unmindful of God the giver; and therefore I began my Reign with securing his Service and the Religion I have been both born in, bred in, and I trust shall dye in. And thought I was not ignorant how many dangers I should meet withal at home, for my altering Religion, and how many great Princes abroad of a contrary Profession would in that respect bear me Hostile mind towards me; yet was I no whit dismayed thereat, but being assured, that God, whom alone I loved and respected, would defend both me and my Catholic Religion, it is that so many



many Treacheries and Conspiracies have been attempted against me, that I might well admire to find my self alive at this present day, were it not that Gods holy hand hath still protected me beyond all Expectations. Next, to the end I might make the better progress in the Art of Ruling well; I had long and serious Consultations with my self, what things were most worthy and becoming Kings to do, and I found it absolutely necessary that they should be compleatly furnished with those prime Capital Vertues, Justice, Temperance, Prudence and Magnanimity: Of the two latter I will not boast my self, my Sex doth not permit it, they are proper to Men; but for the two former and less rough, I dare say (and that without ostentation) I never made a difference of Persons, but high and low had equally right done them; I never preferred any for favour, whom I thought not fit and worthy; I never was forward to believe Storys at the first telling; nor was I so rash as to suffer my Judgement to be forestalled with prejudice before I had heard the Cause. I will not say but many reports might happily be brought me too much in favour of the one side or the other: for a good and wary Prince may sometimes be bought and sold, whilst we cannot hear all our selves; yet this I dare say boldly, my Judgment (as far as I could understand the Case) ever went with truth. And as Alcibiades advised his friend, not to give any answer till he had run over the Letters of the whole Alphabet, so have I never used rash and sudden resolutions in any thing.

And therefore as touching your Councils and Consultations, I acknowledge them to have been with such care and Providence, and so advantageous, for the preservation of my Life, and to proceed from hearts so sincere and devoted to me, that I shall endeavour what lyes in my power, to give you cause to think your pains not ill bestowed, and strive to shew my self worthy of such Subjects.

‘ And now for your Petition, I desire you for the present to content your selves, with  
‘ an answer without answer; your Judgement I condemn not, neither do I dislike your  
‘ reason, but I must desire you to excuse those thoughtful doubts and cares, which as  
‘ yet perplex my Mind; and so rest satisfied with the profession of my thankful esteem  
‘ of your affections and the answer I have given, if you take it for any answer at all; if  
‘ I should say I will not do what you request, I might say perhaps more than I in-  
‘ tend; and if I should say I would do it, I might plunge my self into as bad inconven-  
‘ encies as you endeavour to perswade me from: which I am confident your wisdom  
‘ and discretions would not that I should, if you consider the circumstances of place,  
‘ time, and the manner and conditions of Men.

In December 1586. the Parliament was prorogued faith Cambridge, Adjourned (faith D'Eme) to the 15th of February, and thence adjourned to the 22 of February, and soon after, notice was given to the Queen of Scots of her Sentence, which she received joyfully, and seemed to Triumph that she was taken for an instrument for introducing Popery. But a Bishop and Dean of the Church of England, being commended to her, to fit her for Death, she rejected them, and sharply taxed the English Nation, saying that the English, had many times put their own Kings to death, but never of their own accord, if they may also shew their cruelty upon her, who was lifted from the blood of their Kings.

D' Ewes Four-  
f. 407.

*Queen of Scots  
carriage to a Bi-  
shop and Dean  
of the Church  
of England.  
Camb. Annals  
f. 308.*

After her Sentence was published (before any Warrant for her Execution) People  
 vented their several Opinions, some for it, some against it, I shall Waverall give the then  
 French Ambassadors Reasons on the behalf of the Queen of Scots, and the Answer  
 to those Reasons, as they are related by *Cambden*, as follows.

[illegible]

*The French  
Ambassadors  
Reasons against  
executing the  
Queen of Scots.  
Camb. Annals  
f. 374.*

That although he had laid claim to the Crown of England, yet he was not to be impeached by the Commons of England, and by the Examples of Richard the First and Richard the Second, who were both impeached by the Commons of England, and by the Examples of Richard the First and Richard the Second, who were both impeached by the Commons of England.



Q. Eliz.

That she came at first a Suppliant into England, and therefore having been unjustly detained, she was now at length to be either ransomed, or mercifully dealt withal. Moreover, that an absolute Prince was not to be called in question, which made Tully, say, So unusual a thing it is for a King to be put to death, for any Crime, that before this time, it was never so much as heard of,

That if she were Innocent, she were not to be punished; if Guilty she was to be spared; for this would turn to far greater honour and advantage, and would be recorded eternally, as an example of the English Clemency. That the story of Porfenna in this Case was to be remembered, who snatched the right hand of Mutius Scaevola out of the Fire, and set him at Liberty, though he had Conspired his Death.

That it was a prime Rule and Precept for well Governing, to be sparing of Blood; that Blood cryeth for Blood: That to use the extremity of rigour towards her, could not but seem a cruel and bloody Part.

That the French King would do his best to repel and frustrate the Attempts of all Men whatsoever, who should offer violence to the Queen: and that the Guises, the Queen of Scots near Kinsmen, would engage themselves to do the like by Oath and Covenant under their hands, who in Case she should be put to death, would take it very hardly and haply not leave her unrevenged.

Lastly, they required she might not be proceeded against according to so rigorous, and extraordinary a Sentence: Otherwise the French King, could not but take very great displeasure thereat, howsoever other Princes should hap to resent it.

The Answer to  
those Reasons.

To these Reasons Answer was made from Point to Point as followeth.

That the Queen of England trusted, the most Christian King of France would have no less a regard and respect for her, then he had for the Queen of Scots, who had practised the destruction of an Innocent Princess, her near Kinswoman, and a Confederate with the French King. That it was expedient and necessary for Kings and Commonwealths, that wicked attempts (especially against Princes) should not go unpunished.

That the English, which acknowledged the Sovereign Authority of Queen Elizabeth only in England, could not acknowledge two Supream free and absolute Princes in England at one time, or account any other whomsoever, equal to her in England as long as she lived. Neither indeed did they see, how the Queen of Scots, and her Son who at present Reigneth, can be reputed both at one time for Supream and Absolute Princes.

Whether the Queens safety would be exposed to greater danger upon her being Executed, depended upon future Accidents and Contingences; the Estates of England, upon serious deliberations of the Matter, thought otherwise there would never be occasions wanting for bad attempts, especially when the Matter was now come to that pass, that the one had no hope of safety, unless the other were ruined: and this saying they might call to Mind *aut ego illam, aut illa me*, either I must take away her Life, or she will take away mine. The shorter the time to come of her Life was, the sooner and more eagerly would the Conspirators hasten the Queens danger.

That the Title which she claimed to the Crown of England, she would not yet renounce, and therefore she was with good reason detained in Prison, and so to be detained (though she came a Suppliant into England) till she had renounced the same, and the Crimes which she had committed since she was Prisoner, she ought to suffer for, whatever were the Cause of her first casting into Prison.

That the Queen had formerly most Graciously spared her Life, when by unanimous consent of the Estates, she was Condemned for a Rebellion raised, about an intended Marriage between her and the Duke of Norfolk: and to spare her again, were but unadvised and cruel pity; that no man was ignorant of that saying of the Lawyers, *ut in offensa Terræ, sic in offensa Terræ, sic in offensa Terræ*, and there found, is punished in the Place of his Offence, and so of his Dignity, Honour, and Privilege: And that this was both justifiable by the Laws of England, and by the Examples of Licinius, Robert King of Sicily,

Bernard



Between King of Italy, Conradine, Elizabeth Queen of Hungary, John Queen of Naples, and others, for whom Tully pleading, said, it was no unjust thing that a King should be found Guilty, and put to Death, though it were not usual. For thus the words run, *which I speak first touching a Kings forfeiture of Life and Estate, which thing though it be not unjust, especially when thy Life is in danger from him, yet is it so unusual.*

Q. Eliz.

That he ought to be punished, having been found Guilty upon a just and legal Tryal; considering that what is just, the same is honest, and what is honest, is also profitable and Expedient.

That the Story of Porfenna suited not with the present Case, unless a Man should imagine a numerous Combinations of men to have laid wait for the Queens Life, and should thereupon perswade her to let the Queen of Scots at Liberty without any hurt, out of a fear of them, with some regard to her own honour, but none to her safety, as Porfenna discharged Mutius, after he had affirmed that three hundred like himself had Conspired and vowed his death: Moreover, Mutius attempted this against Porfenna, in a just and declared War; and when Mutius was let go, Porfenna verily perswaded himself that all the danger was over; but the Case here is quite otherwise.

That Blood indeed is to be feared, but it must be innocent Blood, this God hath commanded. True it is indeed, that the voice of innocent Blood crieth for Blood; and this can France both before and since the Massacre at Paris, well witness and testify.

That Death that is justly inflicted cannot seem Bloody; as is neither Physic prepared duly, and as it ought to be, esteemed violent.

That howsoever the Guises, the Queen of Scots Kinsmen, might take the Matter, yet it highly concerned the Queen, to regard rather the safety of her self, the Nobility and People of England (upon whose love and affection she wholly depended) then the displeasure of any whomsoever.

That the Matter was come to this pass, that what was said of old concerning two Princes, Conradine of Sicily, and Charles of Anjou, might now be spoken of two Queens, it might now be truly said, *the Death of Mary is the Life of Elizabeth, and the Life of Mary the Death of Elizabeth.*

That the French King on the Guises promises could not secure the Queen and Realm; much less make satisfaction for her Life, if she should be made away.

That the French King could neither discover nor hinder secret Plots against himself at home, much less was he like to hinder those against the Queen of England: For Treason is plotted in secret, and therefore hard to be prevented, if the fact were once committed, what would it avail to claim their Promises? how should an incomparable Prince's death be made amends for? and in so sad and woful a Confusion of all things, what Remedy could be found for the languishing Common-wealth?

That the Obligations and Oaths of the Guises were of small value, who judged it Mentions to kill the Bishop of Rome's Adversaries, and could easily procure Dispensations for their Oaths, and what Englishman, if Queen Elizabeth were slain, and the Queen of Scots, of the house of Guise, advanced to the Crown, durst accuse them of the Murder? and if any should accuse them; could they thereby make her alive again?

And the Ambassadors in calling this a rigorous and extraordinary Sentence, have spoken rashly and unadvisedly (for as much as they have neither seen Process nor Proof) and have more sharply then is fitting, taxed the Estates of the Realm of England, choice Men for their Nobility, Vertue, Prudence, and Piety: Yes, they have very inconsiderately uttered such Words in the French Kings Name, as if they meant by threats to terrify the Queen, and the Estates of the Land. The English men are not to be terrified by the French mens threats from taking Courses to secure their own Tranquility, when they, in the mean time, could direct them no proper way to avoid the imminent and threatening Dangers.



**Q. Eliz.**

A Plot by the French Ambassador, to take away the Queens Life. Camb. Annal. f. 377. Stafford engaged in it, but refused it, and proposed one Moody who undertook it.

The Answer to these Reasons not leaving the French Ambassador Room for a Reply, from Words he was refused to fall to Blows, and that he might save one Queens Life, enters into a Plot to take away anothers. And in order to this, he at first more closely tampered with one William Stafford, a young Gentleman whose Mother and Brother were Servants to the Queen, the former of the Queens Bed Chamber, the latter Ambassador in France, and afterwards more plainly and openly by Trapp his Secretary, who promised him if he would effect it, not only great Glory and vast Riches, but special favour with the Pope, the Duke of Guise, and all the Papists. Stafford refused to do it himself, but recommended one Moody, who undertook the Matter; and as to the Manner, propounded to do it, either by Poison, or by a bag of Gunpowder of twenty pounds weight to be conveyed under her Bed, and secretly fired: But soon after Stafford discovered the whole, Trapp was taken and Confessed the Matter, the Ambassador was sent for and rebuked, but he insisted, that he being an Ambassador, was not bound to make any Discovery to any but his Master.

Camb. Annal.

f. 379.

Bakers Chron.

f. 371.

The Queen privately signed a Warrant to execute the Queen of Scots and delivered the same to Davison.

Camb. Annal.

f. 387, 389.

Bakers Chron.

f. 371.

Davison acquaints the Council with it.

The Council

Execute her

before the

Queen knew it.

Queen Elizabeth

resents it.

Camb. Annal.

f. 388.

Bakers Chron.

f. 372.

A great fine in those days.

Yorks Plot.

Camb. Annal.

f. 397.

Foulis Hist. 1.

7. cap. 7. f.

356.

Bakers Chron.

f. 373.

At this time there were divers Rumors, and terrifying Reports spread over England, viz. that the Spanish Fleet was already arrived at Milford Haven; that the Scots were broken into England; that the Duke of Guise was Landed in Suffex with a strong Army; that the Queen of Scots was escaped out of Prison, and had raised an Army; that the Northern Parts were up in Rebellion; that there was a new Conspiracy on foot to kill the Queen, and set the City of London on Fire. These Reports halted on the Queens signing a Warrant for the Execution of the Queen of Scots; to do which, she being by her Couriers, as before she had been by the Parliament, pressed, both by Reasons, and also by Examples; did command a Warrant to be drawn up for her Execution; which Command she delivered in Writing to Davison, one of her Secretaries, but commanded him to acquaint no Man therewith. But the next Day, having changed her Mind, she commanded Davison, by William Killigrew, that the Warrant should not be drawn. He came presently to the Queen, and told her that it was drawn and under the Seal already, whereat she was greatly moved; but notwithstanding, (he acquainted the Council with it, and they believing that the Queen commanded it should be Executed, without any delay, sent down, and had it done on the 8th. Day of February, 1586.

As soon as the Report was brought to Queen Elizabeths Ears (who little thought of such a thing) that the Queen of Scots was put to Death, she heard it with great Indignation; her Countenance altered, her Speech faltered and failed her, and through excessive Sorrow, she stood in a manner astonished, insomuch, as she gave her self over to passionate Grief, putting her self into mourning Habit, and shed abundance of Tears. Her Council she sharply rebuked, and commanded them out of her Sight, causing them to be Examined. Davison she commanded to appear, and be tryed in the Star Chamber; Her Council she forgave, but Davison was tryed, fined a thousand Pounds, and imprisoned during the Queens pleasure.

After the Queen of Scots was executed, the first piece of Treasonable Practice of the Papists, I meet with is, that of York, who drew Stanley to betray Deventer, a strong and wealthy Place, to the Spaniards contrary to Oath solemnly taken to Leicester, and to satisfy his Conscience against the imputations of Treason, he pretended, that he had restored that place to the true Lord and Owner, which had been kept from him by Rebels; and being a rank Papist, he soon after sent for Papists to instruct his Regiment, consisting of thirteen hundred English and Irish, in the Popish Religion; giving out, that this should be a Seminary Regiment of Soldiers to defend the Romish Religion by their Swords, as the Seminary Priests did by their Writings. And for this purpose, Allen who was not long after made Cardinal, not only dispatcht Priests to him with all expedition, but let forth a Book also wherein, according to Pius Quintus his Bull against Queen Elizabeth, he both commended the Treason, and excited others to the like perfiduousness, as if they were neither bound to serve nor obey an Excommunicate Queen.

And now let us see what the Parliament are doing after the Death of the Queen of Scots; That great Root of Rebellion and Treason, even in their opinion.



At the meeting of the Parliament 22d. of February, to which the same was adjourned, the Queen acquainted them by *Sr. Christopher Hatton*, that the Nation was in great danger, and what the danger was, you will find laid down in an excellent Speech, made in the House of Commons by the said *Sr. Christopher Hatton*, which I have here inserted, that you may see that tho' the Queen of Scots was dead, yet the *Papists* were not: but as active against the Queen, and the Protestant Religion as ever. The Speech take, as it is set down in *Sr. Simon D'Ewes* his journal which is as followeth.

*Q. Eliz.*  
The Parliament met 22d.  
Feb. 28, 29.  
Eliz.

That it was Her Majesties pleasure to have dangers disclosed, and to have the House know that she thanked God for the Goodness of the House, that she wished the Session (mistaken for Meeting) to be short, that Men of Government might go home for matter of Government, Hospitality and Defence, and to take another time for making of Laws, saving such as be now of necessity.

*Sr. Christopher Hattons Speech D'Ewes journal f. 408.*

The dangers which Her Majesty meaneth, proceed of ancient Malice, and are to be prepared for, and God called for Aid.

**The Principal Heads of the Dangers.**

The Catholics abroad, the Pope, the King of Spain, the Princes of the League, the Papists at home and their Ministers.

**The Principal Root hereof:**

The Council of Trent which agreed to extirpate Christian Religion (which they term Heresie) whereunto divers Princes assented, and bound themselves in solemn Manner.

Pope *Pius Quintus* sent his Excommunication against Her Majesty. *Dr. Mourtou* and *Mendoza* a Spanish Ambassador bestirred them, a Northren Rebellion was bred, the Pope and the rest Practiced for the Scottish Queen, and she being acquainted proceeds by her means.

Pope *Paulus* the thirteenth proceeds and sends Jesuites and Seminaries to England and Ireland, and they proceed to inveagle the the Subjects, and dissuade them from obedience. *Viska* beginneth a Rebellion in Ireland, *James Fitz Morris* furthereth the Execution thereof. *Doctor Saunders* and *Desmond* stir new Rebellion there, and wrote into England, *Sr. Pury* was moved to kill Her Majesty, and perswaded it was Merciful.

Pope *Sixtus* the fifth imitate the other Popes, to execute their former Devices, and writeth to the Cardinal of *Loren* and *Gust*; that he will overthrow the Gospel (which *Mr. Vire Chamberlain* honourably termed the glorious Gospel) and therefore moved them to joyn with the Princes of the League, and to practice to win the King of Scots, and to set up the Scottish Queen in England, and make his reckoning of the *Cannons* that were *Papists*, the *Savoyers*, the Duke of *Savoy*, the Duke of *Ferra*, King of *Spain*, and King of *France*: A chief Instrument to work this was one *Carew*, called also *Father Henry*.

He was sent into Germany, and over Italy and France, wrote to the Scottish Queen, that the Powers will joyn to overthrow England, and make known the effect of his Labour to the Pope. Invasion should have been made into England and Ireland the last year, and not like to be unattempted this year.

The Pope Excommunicate the King of *Naver*; the Pope counteth not of *Papists* Preaching and perswasions that way; But nevertheless moveth all to use the Word, and for maintenance thereof spareth his Treasure otherwise, and withdraweth maintenance from Jesuites, Seminaries; and divers other Letters were found with the Scottish Queen, which prove all these to be true. If we serve Almighty God in sincerity of Heart, we need not to fear. It is to be remembered that the King of Spain sought to recover some part of his Fathers Credit, by using our Treasure and Force to get *St. Quintins*; but he soon made his advantage of it, and regarded not our Territories: But suffered the loss of *Calice* and all our Territories; and after the Death of Queen *May* what he could. Her Majesty sought for his Good-will, sending the Lord *Montague*, the Lord *Cobham*, *Sr. Thomas Chamberlain* Knight, *Mr. Mann* and others, and they were but hardly used, some of them were offered great indignity, and *Mr. Mann* Son forced by strength to do a kind of Pennance. He comforted the Queens Enemies, he giveth Colour of Wars, he Chargeth the Queen that her Subjects



# An Historical Account of making the Penal Laws

Q. Eliz.

Subjects have aided his Rebels in the Low Countries, with the countenancing Monsieur with many at Cambray, with sending her Nobility with him into the Low Countries, with the Actions of St. Francis Drake, with assistance of the Low Countries.

Of the purpose of the Combined Princes.

Their shew is to deal with the King of Navarre to extirpate him, but their drift is to ruinate Religion not only there, but to set upon, and to work the ruin of it here also. Wherein the King of Spain and France are now very busy. Their Malice is the more for the executing the Scottish Queen: But their hope is the less. The King of Spain his Designments are to invade England and Ireland.

His Preparations.

Three hundred sixty Sail of Spain. Eighty Gallies from Venice and Genoa, one Gallies with six hundred armed Men, from the Duke of Florence. Twelve thousand Men maintained by Italy and the Pope. Six thousand by the Spanish Clergy, twelve thousand by his Nobility and Gentlemen of Spain: It is reported that ten thousand of these be Horsemen, I think it not all true, but something there is.

We must look to the Papists at home and abroad. It hath touched us in the Blood of the Nobility, and the Blood of many Subjects.

They practice to frame Subjects against all Duty, and bring in Doctrine of Lawfulness and Merit to kill the Queen, and have sent their instruments abroad to that purpose.

Notwithstanding things stood thus, yet the Parliament having made so many Laws, thought convenient, to make but one Law this Session against the Papist, which was not made. Provisory of any new Remedy against them, but to enforce the Execution only of a former Law. It is entituled, An Act for the more speedy and due Execution of certain Branches of the Stat. 23. Eliz. intituled, An Act to retain the Queens Majesties Subjects in their due obedience.

29. Eliz. cap. 6.  
Rast. Stat. 2.  
Part. f. 338.  
An Act to en-  
force the Exe-  
cution of 23.  
Eliz.

By which Act, For the avoiding all frauds and Delays, in hinderance of the Execution of the said Act, it is provided, that certain assurances made by Papists shall be void against the Queen: That the Conviction shall be at the Kings Bench, or at the Assizes or general Goal Delivery; and certified into the Chancery: The Twenty pounds a month for not going to Church is to be paid into the Chancery every Quarter and Michaelmas Term; in default of Payment the Queen may take all the Goods, and two parts of the Lands and Revenues of the Offenders. The indictment sufficient, so it mentions not the Words being within the Realm: Upon Proclamation made, if the party renders not his Body, he stands Convicted, no forfeiture, if the party submits, or dies. Assurances made bona fide not to be impeached, nor Lands for Life, or in the Wives right, after the Offenders Death.

The Secular  
Priests Con-  
fession of the  
Plots before-  
mentioned.  
Colled. f. 45.  
Babingtons  
Plot.

Stanley's Treason.  
Allen before  
named.

Thus did the Plots and Conspiracies of the Papists, from time to time, force the State to make either New Laws against them, or else Laws for the more effectual executing the old for the truth of the Plots and Conspiracies before mentioned, I shall here insert the very words of the Secular Priests in their important Considerations as hereunto followeth. We might add the notable Treasons of Mr. Anthony Babington, and his Complices in the Year 1586. Which were so apparent as we were greatly abashed at the shameless Boldness, of a young Jesuit; who to excuse the said Traitors and qualifie their offences, presumed in a kind of supplication to Her Majesty to ascribe the Plotting of all that mischief to Mr. Secretary Walsingham, the Treachery also of Sir William Stanley, the year following 1587. in falsifying his Faith to Her Majesty, and in betraying the truth Committed unto him by the Earl of Leicester, who had given him the honorable Title of Knight-hood, as it was greatly prejudicial to us, that were Catholics at home, so was the defence of that Disloyalty (made by a worthy Man, but by the persuasions, as they think of Papists) greatly disliked of many Good Wives and Learned. And especially it was wondered at a while, until the Drive thereof appeared more manifestly, in the year 1588, that the said worthy Person had done this for a ground, in justifying the said Stanley. viz. that in all

Wars



Wart which may happen for Religion, every Catholick Man is bound in Conscience, to employ his Person and Force, by the Popes Direction, viz. how, for, when, and where, either at home or abroad, he may and must break with his Temporal Sovereign.

Q. Eliz.

Let us now see what was further doing by the Pope and the Papists, against the Protestant Queen, and the Protestant Religion in England, in the Year 1588, and we shall doubtless see very good reason for making the Statute of 35 Eliz. Ca. 2. which was the last Law that was made against them in Queen Elizabeths time.

The Pope, some Religious Persons in Spain, and several English Fugitives, had called back the Spaniard to his former Designs for the Conquest of England, which had been interrupted by the Portugal Wars; earnestly exhorting him, that seeing God had given him Success in laying Portugal, and the East-Indies to his Dominions, he would do something which should be acceptable to God, and becoming the Grandeur and Majesty of the Catholic King, that nothing could be more, then the propagating and enlarging the Church of God, which could not be more gloriously, nor more meritoriously done, then by the Conquest of England, re-planting the Roman Catholic Religion, and abolishing Heresie there. They suggested, that this War would be just, because it was necessary, as also because it was for the Maintainance of Christs Religion; in regard, That the Queen of England being excommunicate, persisted contumaciously against the Church of Rome, supported his Rebels in the Netherlands, annoyed the Spaniards by continual Depredations, suppressed and sackt his Towns in Spain and America, and had very lately put the Queen of Scots to Death, violating thereby the Majesty of all Kings: That it would be no less profitable than just, for so he should add to his Empire those three Kingdoms, quell the Rebellion in the Low Countries, secure his Voyages to the Indies, without the Expence of Convoys. To prove this, they suggested, that the Spanish Navy did far exceed the English in Number, Largeness of Ships, and Strength, especially considering the Addition of the Portugal Fleet; that England had no Forts nor defences, that it was unprovided of Commanders, Souldiers, Cavalry and Munition, bare of Wealth and Friends; that there were many Papists who would presently joyn with him; that so great was the Strength of Spain, and so unmatchable their Valour, that none durst oppose them; and confidently assured themselves of Victory; That this Opportunity was offered by God himself, a Peace being then concluded with the Turk, and the French embroiled in a Civill War: That the Conquest of England would be far easier than the Netherlands, in respect the Cut from Spain to England was much more short and convenient, than from Spain to the Netherlands. That in order to the Conquest of the Netherlands, it was necessary, first to conquer England, and that England being once conquered, the Low-Countries must of necessity be subdued.

The Pope plotting again.  
Camb. Annal.  
f. 402. Baker's Chron.  
f. 374.

The Spanish King being perswaded to believe all this, resolves on the Attempt, and the next thing considered, was, in what Way, and Means, to effect it. And the Method agreed on, was, to do it with a well-provided Army from Spain and the Low-Countries, to be landed by a powerful Navy at the Thames Mouth, in order to surprize the City of London, by a sudden Assault; this being resolved on, the Preparation was made, which was so great throughout all Spain, Italy, and Sicily, that the Spaniards themselves were amazed at it, and named it the Invincible Armada. Their Cause, the Armada and Army, they recommended to the Pope, and to the Prayers of the Catholics, to God and the Saints, and set forth a Book in Print for a Terror, wherein the whole Preparation was set down.

The Contrivance of the Spanish Invasion.  
Camb. Annal.  
f. 403, 404.

The Prince of Parma also in the Netherlands, by the Spanish Kings Command, built Ships, and many Flat-bottomed Boats, and other great Preparations in the Sea Towns of Flanders, he had an Army of an hundred and three Companies of Foot, and four thousand Horse; amongst which were one thousand English Fugitives, who of all others, were least esteemed; neither was Stanley, who had the Command of them, nor others who offered their Service and Council once heard; but for their unnaturalness to their Country, they were debarred from all access, and (as most inauspicious Persons) worthily, and with Detestation rejected.

Sir William Stanley before named.



**Q. Eliz.**

Camb. Annal. f. 410. Baker's Chron. f. 374. The Number of the Armada.

The Spanish Navy, in the whole, consisted of one hundred and thirty Ships, whereof Gallies and Galleons seventy two, in which were Souldiers nineteen thousand two hundred and ninety, Mariners, eight thousand three hundred and fifty, Gally Slaves, two thousand and eighty, great Ordinance, two thousand six hundred and thirty; for the greater Holiness of their Action, twelve of their Ships were called the twelve Apostles; the chief Commanders were Don Alphonso, Duke of Medina, and John Recalde a great Sea-man.

Sixtus Quintus

Curseth Queen

Elizabeth.

Poulis Hist.

lib. 9a. f. 350.

Camb. Annals. f. 410.

(a) Ant. Cicarella in vita

Sexti V.

Allen sent into

the Nether-

lands to carry

on the Design.

Sixtus Quintus the Pope, that he might not seem to be wanting in so good a Cause, did not only assist with his (a) Treasure, but his Papal Curse to boot; whereby he excommunicated the Queen, dethroned her, absolved her Subjects from all Allegiance, and published his *Crisis* in Print, as it were against Turks and Infidels; wherein, out of the Treasure of the Church, he granted plenary Indulgences to all that gave their Help and Assistance with this goodly Stuff. William Allen, (a little before made a Cardinal) an Englishman, and an old Traitor to the Queen, was sent into the Netherlands, the better to encourage the English Romanists to Rebellion; Allen pulls out his Papal Tool, which he forgeth into a Pamphlet in the English Language, which he prints at Antwerp, calling it,

The Declaration of the Sentence of Sixtus Quintus.

And as a farther Interpretation of the Papal Intent, and the better to ingage the

Their Methods.

English to Rebellion, he joyns a second Part to it, called,

An Admonition to the Nobility and People of England.

And that the Reader may better understand the Honesty of the Paper, take the Sum of it thus.

Em. Meteram.

Hist. Belg. lib.

15. P. 473.

474. Sam.

Purchas. Pil-

grims. vol. 4.

L. 10. c. 11. P.

1895, 1896.

It begins with Calling the Queen Government impious and unjust; her self an Usurper, Obstinate and Impenitent, and so no good to be expected, unless she be deprived.

Therefore Pope Sixtus Quintus, moved by his own and his Predecessors Zeal, and the vehement Desire of some principal Englishmen, hath used great Diligence with divers Princes, especially with the Spanish King, to use all his Force, that she might be turned out of her Dominions, and her Adherents punished: And all this for good Reasons.

Because she is an Heretick, Schismatick, is excommunicated by former Popes, is Contumacious, Disobedient to the Roman Bishops, and hath taken to her self the Ecclesiastical Jurisdiction over the (a) Souls of Men.

Because she hath against all Law and Right, usurped the Kingdom; seeing none (forsooth) must be Monarchs of England, but by the Leave and Consent of the Pope.

Because she hath committed many Injuries, Extortions, and other Wrongs against her Subjects.

Because she hath stirred up Sedition and Rebellion between the Inhabitants of Neighbouring Countries.

(b) What did

the Pope and

Spaniards do?

(c) A slanderous

Untruth.

(d) And very

justly, as ap-

pears by the

Relation before

given.

(e) A damn'd

Lye.

Because she hath entertained (b) Fugitives and Rebels of other Nations.

Because she sent and procured the (c) Turk to invade Christendom.

Because she persecuted the English Romanists, Cut of the (d) Queen of Scots, and abolished the Roman Religion.

Because she hath rejected and excluded the Ancient Nobility, and promoted to Honour obscure People, (e) and also useth Treachery.

Wherefore, seeing these Offences, some of them rendering her incapable of the Kingdom, others unworthy to live; His Holiness, by the Power of God and the Apostles, reneweth the

Censure of Pius V. and Gregory XIII. against her, excommunicates and deprives her of all Royal Dignity, Titles, Rites and Pretences to England and Ireland; declares her illegitimate, and Usurper of the Kingdom, and absolves all her Subjects from their Obedience and Oath of Allegiance due to her.

So he commendeth all, under Pain and Penalty of Gods Wrath, to yield her no Obedience, Aid or Favour whatsoever; but to employ all their Power against her, and to Joyn themselves

with the Spanish Forces, who will not hurt the Nation, nor alter their Laws nor Privileges.

(f) Protestants only punish the wicked (f) Hereticks, some of them (g) by the sword of the law.

Therefore by these Presents we declare, that it is not only Lawful, but Commendable to lay Hands on the said Usurper, and other her Adherents, and for so doing, they shall be well rewarded.



And lastly, to all these Roman Assistants, is liberally granted a Plenary Indulgence, and Remission of all their Sins.

Q. 112

The Queen, to defend her self, set forth a good Fleet of Ships, under the Command of Charles Lord Howard of Effingham, Lord High Admiral, and Drake Vice-admiral; she prepared two Armies, one of one thousand Horse and twenty two thousand Foot, under the Command of the Earl of Leicester. The other of thirty four thousand Foot, and two thousand Horse, under the Command of the Lord Hunsdon. And the Nation being jealous of the Papists, the Queen was perswaded to commit divers to Wisbich Castle, but could not be prevailed upon to execute any one, not so much as a Priest, notwithstanding the severe Laws then in being against them, and this great Preparation made against her, for the Conquering of England, and the bringing in of Popery.

Queen Elizabeths Preparation to defend her self.

Camb. Annal. f. 405.

The Papists seeing such Preparations made by the Queen, set on foot a Treaty for Peace, and in February Commissioners went into Flanders, and the 12th. of April, 1588. the Spanish Commissioners met the English near Ostend, and the Treaty was carried on by the Spaniards, with design (if possible) to make England secure, and so to surprise them; for they dallied with the English, till the Spanish Fleet was come upon the Coast of England, and the Thundring of the Ordinance was heard from the Sea.

A Trick of the Spaniards.

Camb. Annal. f. 407.

408, 409, 410.

The 21st. of May, 1588. the Spanish Fleet set sail out of Lays, and was totally scattered and dispers'd by a very great Tempest; but being come together again, the 12th. of July, the whole Fleet set Sail again, and the 21st. both Fleets engaged, and after four several Sea-fights (the First, the 21st. the Second, the 23d. the Third, the 25th. and the Last, on the 27th. or 28th. of July) the Spanish Fleet, the last Day of the same Month, was driven Northwards, and made their Escape by Flight. This great Armada, which had been three Years in Rigg and Preparing, with infinite Expence, was within a Months space, four times fought with, and at the last overthrown, with the Slaughter of many Men, not an Hundred of the English being missing, and but one Ship lost; and after it had been driven round about all Britain, by Scotland, the Orcades and Ireland, grievously tossed, and very much distressed, impaired and mangled by Storms and Wrecks, and indured all manner of Miseries, at length returned Home with Shame and Disgrace. The Prince of Parma never joyned them, for which he was sufficiently reviled by the Spaniards.

The Spanish Fleet at first dispers'd by Tempest.

Camb. An. from 411. to 418.

The Fleet engaged.

The Spaniard beaten.

As for Cardinal Allen, he was born in Lancashire, of good Parentage, was bred up at Oxford in Oriel Colledge, where he was Proctor; was preferred to a Canonship in York. In Queen Elizabeths Days he quitted England, became a Pensioner to the Spaniards; to carry on whose Designs against his Queen and Country, he was very industrious; for which Service, Sixtus V. created him a Cardinal 1587. and he died at Rome 1594. Oct. 16. He hath told us himself who were the chief Promoters of this Invasion, as Mr. Foulis tells us, and quotes for it, Quodlibet, Pag. 40, 41, 57. his own Words, as he relates it, are these,

Foulis Hist. 1.

7. cap. 6. f.

351, 352.

Camb. Annal. f. 490.

Bakers Chron. f. 381.

The King of Spain, at length, as well by his Holinesss Authority and Exhortations, as by his own unspeakable Zeal and Piety, moved also not a little by my humble and continual Suit, together with the afflicted and banished Catholics of our Nation, of all and every Degree, who have been by his special Compassion, and Regal Munificency, principally supported in this our long Exile, hath condescended at last, to take upon him this so holy and glorious an Act, &c.

And thus proceeds to encourage, nay, and threaten too, the English to take up Arms against their Queen, and to joyn with the Spaniards and other Invaders. If you will avoid the Popes, the Kings and other Princes high Indignation; let no Man, of what Degree soever, obey, abet, aid, defend, or acknowledge her, &c. Ad-ding— That otherwise they should incur the Angels Curse and Malediction, and be as deeply excommunicated as any, because that in taking her part, they should fight against God, against their Lawful King (a) against their Country, and not withstand—

(a) How cometh Philip to be Lawful King of England.



Q. Eliz.

withstanding all they should do, they should but defend her bootless, to their own present Destruction and eternal Shame.

What Mr. Foulis relates out of Clark a Secular Priest, is so remarkable with relation to this Invasion, that I cannot omit it, saith he, and quotes his Author.

(c) C. W. A.  
Reply to Father  
Parson's  
Libel, f. 64,  
65.

As for the Jesuits, you shall hear what (c) Clark the Priest saith, who with Watson, suffered afterward for Treason against King James.

First, It is most certain, that all the World had very admirable Expectance of that Army, and the Jesuits more than any.

(d) They would  
hint to us, as  
if Parsons  
were the Com-  
piler of the Al-  
monition; but  
it is certain that  
Allen was the  
Author of it,  
and Parsons  
with the other  
Romanists con-  
fess Allen to  
be the Author.

Secondly, It is plain by the Cardinals Book (if (d) it were his) written as a Preparative hint to us, as to that Account, that he was made Cardinal on purpose for that Exploit, and to have been sent hither presently upon the Spaniards Conquest. But Father Parsons saith, that he laboured to set forward, at that time, the Cardinals Preferment (if you will believe him) which maketh it evident, a primo ad ultimum, that Father Parsons was a Dealer in that Account.

Thirdly, It is certain, that the Jesuits in Rome were great with the Spanish Ambassador Leger there, and had great recourse unto him, when the Matter was on foot, doth not this then urge them to be Concurrers thereunto?

(e) Vizi the  
English Col-  
ledge at Rome.

Fourthly, It is likewise most certain, that the English Jesuits in Rome, appropriated certain Pallaces in London to themselves, to fall unto their Lots (when the Matter was in hand-ling) so wit, Burghley-House, Bridewel, and another, which I have forgot, making themselves cock sure of their already devoured Prey. This all the Students that lived in the (e) Colledge at that time will witness with me, now would I demand of you, what reasons they might have to be their own Carvers, if they had not some Interest in that Affair?

Fifthly, We know that they were more forward in Rome concerning this Matter, than the Cardinal or any other; insomuch, as, at the first News of the Spaniards coming down into the narrow Seas, they would have had Te Deum sung in the Colledge for joy of Victory, if the Cardinal had not stayed it.

And to conclude, Doth not the posting of Father Parsons into Spain, presently after the Overthrow of this Army, for further dealing with the Spaniard for the time to come, and his better information in English Affairs; and Father Holt posting into the Low-Countries, for the like Purpose, to keep the Spaniard still in hope of future times, that this Mishap might not withdraw him from ever enterprizing the like afterwards, shew, that they were Dealers in the former? Doubtless all these Circumstances cannot but sufficiently prove it, that they were, in the Judgment of wise Men.

Foulis Hist. L.  
7. cap. 7.  
354.

This Grand Invasion of the Spaniards, so contrived and carried on by the Pope, Spaniard, English Fugitives, Priests and Jesuits, being ruined and brought to nought, England might now afford it self some ease, her Enemies not being able on a sudden to recruit their great Losses, this Defeat in a manner breaking their Back, and cracking the Credit of Philip. But as by degrees he recovered, so by the Instigation of the English Fugitives, was he perswaded to carry on the same ill Will towards the Queen of England; the first step that is set, is to send over English Priests, who crept every day privately into England in great Numbers, from the Seminaries of Rome, France and Spain (for the Spaniard had lately founded a Seminary for the English at Validolia) who laboured to draw the Subjects from their Obedience to the Queen, and to unite them to the Spaniards Party, which being discovered, the Queen put out a Proclamation, that none should harbour any man whatsoever, but upon Enquiry first made who he was, whether he came to Prayers in the Church, upon what Means he lived, where he dwelt the Year before, and other like Circumstances, that they who could not answer these Interrogatories, should be sent to Commissioners appointed in every Shire, lest the Common-wealth should receive any Damage.

Camb. Annals  
f. 457.  
Bakers Chron.  
f. 379.



Notwithstanding this Proclamation, and the severity of the Laws, one *Hesket*, who was set on by *Sir William Stanley* before named, undertook to persuade *Ferdinand Lord Strange* (who a little after by the Death of his Father *Henry*, became Earl of *Darby*) to depose the Queen, and take upon him the Title of the Crown, making pedegrees for him, drawing his pretended right from *Mary* his great Grand-mother, Daughter to *Henry* the 7th. And for a better encouragement, they gave him large promises of assistance of Men, and Mony from the *Spaniard*, but withal threatening him with assured destruction, unless he would undertake the design, and conceal it, but the Earl, far contrary to their expectation, discovers *Hesket*, who confessing all, is executed.

Q. Eliz.

Heskets Plot to depose the Queen and set up the Lord Strange.

Fowlis Hist. l. 7. c. 7. f. 354. Camb. Annals l. 4. f. 477.

This failing we have another more dangerous, set on by persons of the highest Rank, but it seems not unworthy the basest Action, of whom any Religion might be justly ashamed.

Lopez his Treason against Queen Eliz. Camb. Annals l. 4. f. 484.

As a Prologue to this, we may understand, that *Don Sebastian* the forward King of *Portugal*, having ruined himself in the *Affrican* Expedition, and his great Uncle *Cardinal Henry* succeeding him in the Kingdoms, and Dying unmarried, several made claim to the *Portugal* Crown. Amongst the rest, *Don Antonio*, Prior of *Crato*, natural Son to *Lewis* Brother to *Henry*. To him, being a *Portuguese*, many of the People bare an affection; so that at last, the rest let their Titles sleep, and the quarrel only remained between *Philip* the II. of *Spain*, and this *Antonio*. But *Philip* having the longest Sword, under the Conduct of *Alva*, wan the Kingdom; so that *Antonio* was forced to flee for refuge to our Queen *Elizabeth*, who afforded him some assistance and favour; by which means and protection, many *Portuguese* Ship't themselves for *England*, where they were received as friends, with all respect and honour. Amongst the rest was *Roderigo Lopez* a Jewish Physician, whom the Queen entertained in her own Service, making him Physician to her Household; and *Stephano Ferreira de Gama*, with *Emanuel Louie*. These three were enticed by the *Spaniard* to undertake the Murther of the Queen, for which they were promised great rewards, but *Lopez* was to be the main instrument.

Fowlis l. 7. c. 7. f. 354. Baker's Chron. f. 381.

*Lopez* confessed that of late years he had been allured to do service secretly to the King of *Spain*, which he did by means of one *Manuel Andrada* a *Portugal*, an Agitator under *Don Bernardino Mendez*, the *Spanish* Ambassador in *France*.

Lopez his Confession.

1. That the said *Andrada* brought him from *Christophero de Mora* (a *Portuguese* but a great favorite of King *Philip* and an especial instrument for reducing *Portugal* under the *Spanish* Crown) a Rich Jewel an encouragement from *Philip* himself.

2. That he was informed of the King of *Spain*'s hopes of him, not only by *Andrada*, but by *Roderique Marques* a *Portuguese* also, but employed by the *Spaniard* on such wicked designs.

3. That he the said *Lopez* did assent to these wicked Councils.

4. That he did secretly advertise the *Spaniards* divers times of such affairs of the Queens as he could learn.

5. That he did also assent to take away the Queens Life by Poyson, upon a reward promised him of 50000 Crowns.

6. That he sent *Andrada* to confer with Count *Fuentez* about it.

7. That he directed *Stephano Ferreira de Gama*, to write Letters to *Stephano Iberre*, that he would undertake, as he had promised, to destroy the Queen by Poyson, provided that he might have the said 50000 Crowns.

8. That he sent these Letters by one *Gomez Davilla* a *Portugal*, that the reason why the Murther was not Executed according to promise was, because he perceived the delivery of the 50000 Crowns deferred, tho promised him from day to day.

9. That to take away this delay of the Execution, Count *Fuentez*, by the King of *Spain*'s Order, did sign and deliver Bills of Exchange for the said Mony. \*

A Nunnery founded with the very Mony

that was given to Poyson Queen Eliz. Tho Robinsons Anatomy of the Nunnery of Lisborn. p. 9.

This Mony, or part of it, for security to *Lopez* was delivered to the Custody of the English Nuns, then at *Reims* in *France*; which Mony [the Plot failing and *Lopez* Executed] was given to the said Nuns, who carried it with them to *Lisbon* in *Portugal*, where they settled themselves in a Nunnery as appears by their Register Book.

These were several conspiracies for the death of his Uncle Edward. That to forward the Plot first, these were several conspiracies for the death of his Uncle Edward.



**Q. Eliz.**  
A Parliament  
called to secure  
the Queens  
Person and the  
Protestant Re-  
ligion against  
the Plots and  
Conspiracies  
of the Papists:

35. Eliz. c. 2.  
Rat. Stat.  
part. 2. f. 399.  
Papists not to  
remove above  
5 miles from  
the place of  
their abode.

These Plots and Conspiracies against the Queens Person, and for the Extirpating Heresie (as they called the Protestant Religion) moved the Queen to call a Parliament, which she did in the thirty fifth Year of her Reign, and recommended the preservation of her Person, and the Protestant Religion to them, that they would put her into a posture of defending her self, and these Kingdoms against any further attempts that might be made by the Pope, the Spaniard, or any other, which was done by giving her large supplies, and making an additional Act to the many that had been before made against the Papists; which is intuled, an Act for restraining of Popish recusants, to some certain places of abode. The preamble runs thus: For the better discovering, and avoiding all Traiterous and most dangerous conspiracies, and attempts, as are daily devised, and practised against our most Gracious Sovereign Lady the Queens Majesty, and the happy State of this Common-weal; by sundry wicked and seditious Persons, who terming themselves Catholics, and being indeed Spies and Intelligencers, not only for her Majesties Foreign Enemies, but also for Rebellious and Trayterous Subjects, Born within her Highnesses Realm and Dominions, and hiding their most detestable and diabolish purposes, under a false pretext of Religion and Conscience, do secretly wander, and skiff, from place to place, within this Realm, to corrupt and seduce her Majesties Subjects, and to stir them to Sedition and Rebellion.

Then it is enacted, that every Papist Convict, dwelling or having a place of abode, should repair to such his dwelling house, or place of abode, and not remove above five miles from thence, upon the penalty of forfeiting his Goods and Chattels absolutely, and his Lands, Tenements and Hereditaments, and his Annuities during his Life, and they that have none are to repair to the places where they were Born, or where their Father or Mother should be living upon the same penalty.

Popish Copsy-holders convict to forfeit their Copsy-hold to the Lord, if he be not a Papist, if he be a Papist, then to the Queen.

Papists shall notify their coming, within Twenty days after their coming, and present themselves, and deliver their true Names in writing to the Minister, or Curate and Constable, &c. which is to be certified to the Sessions, and Inrolled there.

All Persons, not being Feme Covert, and not having Free-hold Lands of twenty Marks per annum above all charges, or Goods and Chattels above the value of Forty Pounds: If they do not obey this Act by repairing to their places of abode, &c. shall abjure the Realm, and the abjuration shall be entred on Record and certified: Refusing to abjure, or after abjuration, not going away within the time appointed, is made Felony. A Jesuit Seminary, or Massing Priest, refusing to Answer directly, whether he be so or no, shall be imprisoned till he do make Answer: There is a saving in the Act to Persons Licensed, or Comanded by the Kings Process, or bound to yield their Persons to the Sheriff: Upon open submission, the offender is to be discharged, the submission to be entred into a Book by the Minister; he that relapseth, shall be in the same condition he was before such submission: Married Women are bound by this Act save in the Case of abjuration.

Cullens Treason.  
Foulis Hist.  
1. 7. c. 7. f.  
356.

At the same time that Lopez was dealing withal about the Queens Murther, the Papists to make more sure, persuaded one Patrick Cullen an Irishman, and a Fencer, to commit the same Villany against her Royal Person: In this Treason Stanley was very active, who with Sherwood and Holt, two Jesuits, confirmed him in the lawfulness of the action, giving him thirty Pounds towards his Journey into England (being then in the Low-Countries,) but he was taken, confessed all, and is Executed.

York and  
Williams Con-  
spiracy to kill  
the Queen.

Foulis Hist. 1.  
7. c. 7. f. 356.  
Camb. Annals  
f. 395. Bakers  
Chron. 382.  
Their Confessi-

The English fugitives beyond Seas, persuaded one Edmund York and one Richard Williams with others to kill the Queen: And this wicked Treason was agitated the same time, that Lopez and Cullen were consulting about theirs: But these Trayton were also seized on, and suffered: The truth of which Conspiracy appears from their own confession, which take as followeth.

1. They confessed, that for an encouragement, Hugh Owen (a noted Traytor) at Brussels, had an assignation subscribed by them, the Spanish Secretary, of 40000 Crowns to be given them, if they would kill the Queen.
2. That the said assignation was delivered to Holt the Jesuit, who shewed also the same to York, and produced the Sacrament and killed it, swearing that he would pay the said Monies when the Murther was committed.
3. That Stanley did earnestly persuade York to undertake it, animating him with the example of his Uncle Rutland.
4. That to forward the Plot, there were several consultations: Holt the Jesuit sitting as President.
5. That

5. That



That He said, if the design failed, they would then employ no more English, but Strangers.

That at these Consultations, there used several to be present; as Thomas Throgmorton, Charles Paget, Hugh Owen, Dr. William Gifford, the finisher of *Calvino Exercitimus* of whose Treasons we have heard formerly, Dr. Thomas Worthington the chief promoter of the *Dona* Bill, adding some notes to it: He also turned *Bristowes Motives* into Latin, and in his Old Age, turned Jesuit at Rome.

It was also confessed, that there were designed to come into England, to attempt her Death: one Tipping, an Englishman, one Edmund Garret at Ensign, with a Walloon, and a Burgundian.

That one Young had undertaken a Treasonable action too.

It was also confessed, that these three, York, Williams and Young, determined at their coming to England, to have put themselves into the Service of some great Noblemen of the Queens Council, thereby to have free access to the Court, and every one of them to seek their opportunities.

That Williams through zeal to the Cause, had wished his Sword in the Queens Guts.

That they had vowed, come what will of it, to be the Death of Her: And how furious and abominable James Arbut the Irish Jesuit and others were in this paricide; (4) Dr. Robert Abbot (a little after Bishop of Salisbury) hath abundantly from their Confessions, confuted the impudent *Andreas Endemon Joannes* and falsified all Foreigners.

(A) Walpole a Jesuit meets with one William Squire in Spain, and procures him, as an Heretic, to be put into the Inquisition, where with afflictions and fair Speeches, he drew him to be a Zealous Romanist.

This done, he persuades him to kill the Queen; commends the Action to him as pious and meritorious, offers him large promises, and at last Squire is fully persuaded, and undertakes the Murder. At this the Jesuit Walpole rejoyceth, hugs and encourageth him, binds him, by several Oaths, under pain of Damnation to be secret, and perform his promise, and not to fear Death: for, said he, *Woe doth it profit a Man to gain the whole World, and lose his own Soul*: Assuring him, if he did but once doubt of the lawfulness and justice of the Action, that mistrust would be enough to Damn him, such a sin being seldom pardoned.

The said, he embraceth him, then throwing his left Arm about Squires Neck; so hugging him with his right hand, he makes the sign of the Cross upon Squires Forehead; thus Blessing him, *God Bless thee my Son, and strengthen thee, be of good Cheer; I will pray for thee, and thou shalt always have the benefit of my Prayers; and whither thou shalt go, thou shalt enjoy a full pardon and remission of all thy Sins*. And another time thus encourageth him: *There is one thing necessary, which if thou prefer before all other things, and dost fulfil it, I have my desire, and thou shalt be a glorious Saint in Heaven*.

Squire thus divelishly resolved, gets into England, goes to Greenwich, where the Court then was, watcheth opportunity; and being inform'd that the Queen was to Ride abroad, goeth to her Horse, holdeth him according to his place; and cunningly puts strong Poyson upon the pumel of the Saddle; yet saying with a loud Voice, as he mounted, *God save the Queen*. But such was the providence; that her Majesty, neither in getting up, riding, or going down, once touched the Pumel; yet he doubted not, but that in time it would work the intended ruin, fully persuaded the Queen had laid her hands on it.

Of this Poyson, being great expectation amongst some, and seeing no sign of any such effect, they became incensed against Squire, thinking that he had left them and the Cause in the lurch, and merely deluded them: Thus jealous and enraged, a revenge is taken on, and Squire cunningly accused of some design against the Queen, Squire, upon the noise, is Examined, and wondering how any thing should be known against him, yet suspecting Walpole his confession, and believing all was fully discovered, freely confesseth all as above is said; so, as a Traytor, is Condemned and Executed. I shall close my account of the History of making the Penal Laws in this Queens Reigne, with the words of the secular Priests in their important considerations relating to what the *Papists* did, and writ, from 1588 to the end of her Reigne; whereby they justify the Queen, and lay blame on the Jesuits.

(a) Antilogia; c. 8. f. 116, to 121.

Walpoles Conspiracy with Squire against the Queens Life.

(b) There were three Brothers of Norfolk all Jesuits, viz. Henry, Michael and Richard Walpoles, Robert Abbot, Antilog. f. 122, 123.

But



*The Secular  
Priests confess  
all the matters  
before related  
to be true.*

*Collection, f.  
46.*

*Collect. f. 94.*

*Camb. saith*

*70. Annals f.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

*1581.*

But now we are come to the Year 1588. and to that most Bloody attempt, not only against Her Majesty and our common Enemies, but against our selves, all Catholics: Nay, against this flourishing Kingdom and our Native Country. The Memory of which attempt will be (as we trust) an ever-lasting monument of Jesuitical Treason and Cruelty.

Then reckoning up the Treasons from 1530. to 1588. Let us consider, say they, how we our selves all this while have been dealt with, such of us as remained in Prison at *Witch*, (and were committed thither, 1580. and others not long after committed also thither, to the number of about thirty three or thirty four) continued still in the several times of all the said most wicked designments as we were before, and we were never brought into any trouble for them, but lived there College-like, without any want, and in good reputation with our Neighbours that were Catholics about us. It is true, that towards the number of 40. (as our Memory serveth us) Priests and Catholics of all sorts, within the Compass of the said ten Years were put to Death; we say, upon our knowledge (concerning the most of them) for their Consciences; but our Adversaries (as they think) will affirm for Treason: Such Priests as in their Examination were found any thing moderate, were not so hardly proceeded with inasmuch as 55. (to our remembrance) that by the Laws (we acknowledge) might have been put to Death, were in one Year, viz. 1588. what time great Mischiefers were in hand) spared from this extremity, and only banished: which fact, howsoever some have written of it, the Parties themselves accounted it for a great benefit, and so would they also have done (we doubt not of it) if they had been of that number. Whereas therefore Mr. Parsons (as we think) exclaimeth in a Pamphlet set out shortly after, *Lying, how are now the Old Tyrants of the World: Nero, Decius, Dioclesian, Maxentius and the rest of the great Persecutors of the Christians? Where is Genserick and Himerius and the other Hereticks* alluding to the State. Here we think both him and divers others that have written to the same effect, very greatly to blame. Sure we are, that the general Cause of Religion, for the which both we and they contend (as oft we have said) geneth no good but hurt by it; and contrary to the Old saying, *he he never is lost, yet let him have justice*, tho' some hard Courses have been taken by the State against us, yet hath it not by many degrees been so extrem as the Jesuits and that Crew have falsely written and reported of it (nor indeed as they deserved).

Afterwards they inveigh against the Spanish Invasion, against Parsons for a Book he writ, and against him and Creswell, for another they writ, they go on thus: While the said Invasion was thus talked of, and in preparation in Spain, shorter counsels were thought of, it might have had success. Mr. *Hedges* was set on by the Jesuits, 1592. or thereabouts with Father Parsons consent or knowledge, to have stirred up the Earl of *Darby* to Rebellion against Her Highness.

Not long after good Father *Hals* and others with him, persuaded a *Irish* man one *Patrick Cullen* (as he himself confessed) to attempt the laying his violent and villanous hands upon Her Majesty. Shortly after in the Year 1593. that Noble Strategem was Plotted (the whole State known by whom) for Dr. *Lopez* the Queens Physician to have Poysoned her, for the which he was Executed the Year after. This wicked designment being thus prevented by Gods providence, the said Traiterous Jesuit, *Hals* and others did allure and animate one *Tark* and *Williams*, to have accomplished that with their Bloody hands, that the other purposed to have done with his Poyson; we mean Her Majesties destruction. Hereunto we might add the late Villanous attempt 1599. of *Edward Spore* animated and drawn thereunto (as he confessed) by *Walpole* that pernicious Jesuit. But we must turn again to Father Parsons.

whole turnings and doublings are such as would trouble a right good Friend to Trace him. For in the mean time, that the said Traytors one after another were Plotting and Studying how best they might compass Her Majesties Death; the cared not how nor by what means, he the said Father Parsons so prevailed with the King, as he attempted twice in two sundry Years, his new Invasion, meaning to have proceeded therein, not with such great preparation as he did at the first, but only to have begun the same, by taking some Port *Wexford*. Towards which he came so far on ward as *Sidley* with his Fleet. At both which times, God who still hath fought for his Majesty and this Realm; did notably prevent him, by such Winds and Tempests, the most of his Ships and Men perished in the Sea as they were coming hitherward. Furthermore, the said good Father in the midst of all the said Trayterous enterprises both at home and abroad, (devised and set forward by him and his Companions)

was



*Q. Eliz.*

*The Parlia-  
ment met 22d.  
Feb. 28, 29.  
Eliz.*

*Sr. Christo-  
pher Hattons  
Speech D'Ewes  
journal f. 408.*

At the meeting of the Parliament 22d. Of February, to which the same was adjourned, the Queen acquainted them by *Sr. Christopher Hatton*, that the Nation was in great danger, and what the danger was, you will find laid down in an excellent Speech, made in the House of Commons by the said *Sr. Christopher Hatton*, which I have here inserted, that you may see that tho' the Queen of Scots was dead, yet the Papists were not: but as active against the Queen, and the Protestant Religion as ever. The Speech take, as it is set down in *Sr. Simon D'Ewes* his journal which is as followeth.

That it was Her Majesties pleasure to have dangers disclosed, and to have the House know that she thanked God for the Goodness of the House, that she wished the Session (mistaken for Meeting) to be short, that Men of Government, might go home for matter of Government, Hospitality and Defence, and to take another time for making of Laws, saving such as be now of necessity.

The dangers which Her Majesty meaneth, proceed of ancient Malice, and are to be prepared for, and God called for Aid.

**The Principal Heads of the Dangers.**

The Catholics abroad, the Pope, the King of Spain, the Princes of the League, the Papists at home and their Ministers.

**The Principal Root hereof:**

The Council of Trent which agreed to extirpate Christian Religion (which they term Heresie) whereunto divers Princes assented, and bound themselves in solemn manner.

Pope Pius Quintus sent his Excommunication against Her Majesty. Dr. Mourtou and Mendoza a Spanish Ambassador bestirred them, a Northren Rebellion was bred, the Pope and the rest Practiced for the Scottish Queen, and she being acquainted proceeds by her means.

Pope Paul the thirteenth proceeds and sends Jesuites and Seminaries to England and Ireland, and they proceed to inveigle the the Subjects, and dissuade them from obedience. Vicks beginneth a Rebellion in Ireland, James Fitz Morris furthereth the Execution thereof. Doctor Saunders and Desmond stir new Rebellion there, and wrote to the English, that they were moved to kill Her Majesty, and perswaded it was Me-  
- - -

Pope Sixtus the fifth imitateth the other Popes, to execute their former Devices, and writes to the Cardinal of Loran and Guse; that he will overthrow the Gospel (which Mr. Fox Chamberlain honourably termed the glorious Gospel) and therefore moved them to set up the Scottish Queen in England, and make his reckoning of the Carbons that were Popish, the Swissers, the Duke of Savoy, the Duke of Ferrara, King of Spain, and King of France: A chief Instrument to work this was one Carew, called also Father Henry.

He was sent into Germany, and over Italy and France, wrote to the Scottish Queen, that the Powers will joyn to overthrow England, and make known the effect of his Letters to the Pope. Invasion should have been made into England and Ireland the last year, and not like to be unattempted this year.

The Pope Excommunicateth the King of Navar, the Pope accounteth not of Popish Preaching and perswasions that way; But nevertheless moveth all to use the Word, and for maintenance thereof spareth his Treasure otherwise, and withdraweth maintenance from Jesuites, Seminaries; and divers other Letters were found with the Scottish Queen, which prove all these to be true. If we serve Almighty God in sincerity of heart, we need not to fear. It is to be remembered that the King of Spain sought to recover some part of his Fathers Credit, by using our Treasure and Force to get the Kingdom; but he soon made his advantage of it, and regarded not our Territories: But suffered the loss of Calice and all our Territories; and after the death of Queen Mary what he could. Her Majesty sought for his Good-will, sending the Lord Montague, the Lord Cobham, Sr. Thomas Chamberlain Knight, Mr. Mann and others, and they were but hardly used, some of them were offered great indignity, and Mr. Mann Son forced by strength to do a kind of Pennance. He comforted the Queens Enemies, he giveth Colour of Wars, he Chargeth the Queen that her Subjects



Q. Eliz.

Subjects have aided his Rebels in the Low Countries, with the countenancing Monsieur with many at Cambray, with sending her Nobility with him into the Low Countries, with the Actions of St. Francis Drake, with assistance of the Low Countries.

Of the purpose of the Combined Princes.

Their shew is to deal with the King of Navarre to extirpate him, but their drift is to ruate Religion not only there, but to set upon, and to work the ruin of it here also. Wherein the King of Spain and France are now very busy. Their Malice is the more for the executing the Scottish Queen. But their hope is the less. The King of Spain his Designments are to invade England and Ireland.

His Preparations.

Three hundred sixty Sail of Spain. Eighty Gallies from Venice and Genoa, one Gallies with six hundred armed Men, from the Duke of Florence. Twelve thousand Men maintained by Italy and the Pope. Six thousand by the Spanish Clergy, twelve thousand by his Nobility and Gentlemen of Spain: It is reported that ten thousand of these be Horsemen, I think it not all true, but something there is.

We must look to the Papists at home and abroad. It hath touched us in the Blood of the Nobility, and the Blood of many Subjects.

They practice to frame Subjects against all Duty, and bring in Doctrine of Lawfulness and Merit to kill the Queen, and have sent their Instruments abroad to that purpose.

Notwithstanding things stood thus, yet the Parliament having made so many Laws, thought convenient, to make but one Law this Session against the Papists, which was not made Provitory of any new Remedy against them, but to enforce the Execution only of a former Law. It is entitled, An Act for the more speedy and due Execution of certain Branches of the Stat. 23. Eliz. intitled, An Act to retain the Queens Majesties Subjects in their due obedience.

29. Eliz. cap. 6.  
Rast. Stat. 2.  
Part. f. 338.  
An Act to en-  
force the Exe-  
cution of 23.  
Eliz.

By which Act, For the avoiding all Frauds and Delays, in hinderance of the Execution of the said Act, it is provided; that certain assurances made by Papists shall be void against the Queen: That the Conviction shall be at the Kings Bench, or at the Assizes or general Goal Delivery; and certified into the Exchequer: The twenty pounds a month for not going to Church to be paid into the Exchequer every Quarter and Michaelmas Term: In default of Payment the Queen may take all the Goods, and two parts of the Lands and Revenues of the Offenders. The indictment sufficient, so it mentions not the Parties being within the Realm: Upon Proclamation made, if the party renders not his Body, he stands Convicted, no forfeiture, if the party submits, or dies. Assurances made bona fide not to be impeached, nor Lands for Life, or in the Wives right, after the Offenders Death.

The Secular  
Priests Con-  
fession of the  
Plots before-  
mentioned.  
Colled. f. 45.  
Babingtons  
Plot.

Stanley's Treas-  
on.  
Allen before  
examined.

Thus did the Plots and Conspiracies of the Papists, from time to time, force the State to make either New Laws against them, or else Laws for the more effectual executing the old; for the truth of the Plots and Conspiracies before mentioned, I shall here insert the very words of the Secular Priests in their important Considerations as hereunto followeth, We might add the notable Treasons of Mr. Anthony Babington, and his Complices in the Year 1586. Which were so apparent as we were greatly abashed at the shameless Boldness, of a young Jesuit; who to excuse the said Traitors and qualifie their offences, presumed in a kind of supplication to Her Majesty to ascribe the Plotting of all that mischief to Mr. Secretary Walsingham, the Treachery also of St. William Stanley, the year following 1587. in falsifying his Faith to Her Majesty, and in betraying the trust Committed unto him by the Earl of Leicester, who had given him the honourable Title of Knighthood, as it was greatly prejudicial to us, that were Catholicks at home, so was the defence of that Disloyalty (made by a worthy Man, but by the persuasions, as they think of Papists) greatly disliked of many both Wise and Learned. And especially it was wondrous at a while, until the Person here appeared more manifestly in the year 1588, that the said worthy Person had done this for a ground, in justifying the said Stanley. viz. that in all Wars



Wars which may happen for Religion, every *Catholick* Man is bound in Conscience, to employ his Person and Force, by the *Popes* Direction, viz. how, for, when, and where, either at home or abroad, he may and must break with his Temporal Sovereign.

Q. Eliz.

Let us now see what was further doing by the *Pope* and the *Papists*, against the *Protestant* Queen, and the *Protestant* Religion in *England*, in the Year 1588, and we shall doubtless see very good reason for making the Statute of 35 *Eliz.* Ca. 2. which was the last Law that was made against them in Queen *Elizabeths* time.

The *Pope*, some Religious Persons in *Spain*, and several *English* Fugitives, had called back the *Spaniard* to his former Designs for the Conquest of *England*, which had been interrupted by the *Portugal* Wars; earnestly exhorting him, that seeing God had given him Success in laying *Portugal*, and the *East-Indies* to his Dominions, he would do something which should be acceptable to God, and becoming the Grandeur and Majesty of the *Catholic* King, that nothing could be more, then the propagating and enlarging the Church of God, which could not be more gloriously, nor more meritoriously done, then by the Conquest of *England*, re-planting the *Roman Catholic* Religion, and abolishing *Heretic* there. They suggested; that this War would be just, because it was necessary, as also because it was for the Maintainance of Christs Religion; in regard, That the Queen of *England* being excommunicate, persisted contumaciously against the Church of *Rome*, supported his Rebels in the *Netherlands*, annoyed the *Spaniards* by continual Depredations, suppressed and sackt his Towns in *Spain* and *America*, and had very lately put the Queen of *Scots* to Death, violating thereby the Majesty of all Kings: That it would be no less profitable than just, for so he should add to his Empire those three Kingdoms, quell the Rebellion in the *Low Countries*, secure his Voyages to the *Indies*, without the Expence of Convoys. To prove this, they suggested, that the *Spanish* Navy did far exceed the *English* in Number, Largeness of Ships, and Strength, especially considering the Addition of the *Portugal* Fleet; that *England* had no Forts nor defences, that it was unprovided of Commanders, Souldiers, Cavalry and Munition, bare of Wealth and Friends; that there were many *Papists* who would presently joyn with him; that so great was the Strength of *Spain*, and so unmatchable their Valour, that none durst oppose them; and confidently assured themselves of Victory; That this Opportunity was offered by God himself, a Peace being then concluded with the *Turk*, and the *French* embroiled in a Civill War: That the Conquest of *England* would be far easier than the *Netherlands*, in respect the Cut from *Spain* to *England* was much more short and convenient, than from *Spain* to the *Netherlands*. That in order to the Conquest of the *Netherlands*, it was necessary, first to conquer *England*, and that *England* being once conquered, the *Low-Countries* must of necessity be subdued.

The *Pope* plotting again.  
Camb. Annal.  
f. 402. Baker's Chron.  
f. 374.

The *Spanish* King being perswaded to believe all this, resolves on the Attempt, and the next thing considered, was, in what Way, and Means, to effect it. And the Method agreed on, was, to do it with a well-provided Army from *Spain* and the *Low-Countries*, to be landed by a powerful Navy at the *Thames* Mouth, in order to surprize the City of *London*, by a sudden Assault; this being resolved on, the Preparation was made, which was so great throughout all *Spain*, *Italy*, and *Scicily*, that the *Spaniards* themselves were amazed at it, and named it the *Invincible Armada*. Their Cause, the Armada and Army, they recommended to the *Pope*, and to the Prayers of the *Catholics*, to God and the Saints, and set forth a Book in Print for a Terror, wherein the whole Preparation was set down.

The Contrivance of the *Spanish* Invasion.  
Camb. Annal.  
f. 403, 404.

The Prince of *Parma* also in the *Netherlands*, by the *Spanish* Kings Command, built Ships, and many Flat-bottomed Boats, and other great Preparations in the Sea Towns of *Flanders*, he had an Army of an hundred and three Companies of Foot, and four thousand Horse; amongst which were one thousand *English* Fugitives, who of all others were least esteemed; neither was *Stanley*, who had the Command of them, nor others who offered their Service and Council once heard; but for their unnaturalness to their Country, they were debarred from all access, and (as most inauspicious Persons) worthily, and with Detestation rejected.

\* Sir William Stanley before named.



**Q. Eliz.**

Camb. Annal.  
f. 410. Baker's  
Chron. f. 374.  
The Number of  
the Armada.

Sixtus Quintus  
Curse Queen  
Elizabeth.

Foulis Hist.  
lib. 7. ca. 6. f.

350. Camb.  
Annals. f. 410.

(a) Ant. Cica-  
rella in vita  
Sexti V.

Allen sent into  
the Nether-  
lands to carry  
on the Design.

Their Methods.

Em. Meteram.  
Hist. Belg. lib.

15. P. 473.  
474. Sam.

Purchas. Pil-  
grims. vol. 4.

L. 10. c. 11. P.  
1895, 1896.

(a) No such  
thing.

(b) What did  
the Pope and  
Spaniard do?

(c) A Stander-  
vous Untruth.

(d) And very  
justly, as ap-  
pears by the  
Relation before  
given.

(e) A damn'd  
Lye.

(f) Protestants only  
punish the wicked (f) Hereticks.

be means.

The Spanish Navy, in the whole, consisted of one hundred and thirty Ships, whereof Gallies and Galleons seventy two, in which were Souldiers nineteen thousand two hundred and ninety, Mariners, eight thousand three hundred and fifty, Gally Slaves, two thousand and eighty, great Ordinance, two thousand six hundred and thirty; for the greater Holiness of their Action, twelve of their Ships were called the twelve Apostles; the chief Commanders were Don Alphonso, Duke of Medina, and John Recalde a great Sea-man.

Sixtus Quintus the Pope, that he might not seem to be wanting in so good a Cause, did not only assist with his (a) Treasure, but his Papal Curse to boot; whereby he excommunicated the Queen, dethroned her, absolved her Subjects from all Allegiance, and published his Croisade in Print, as it were against Turks and Infidels; wherein, out of the Treasure of the Church, he granted plenary Indulgences to all that gave their Help and Assistance with this goodly Stuff. William Allen, (a little before made a Cardinal) an English-man, and an old Traitor to the Queen, was sent into the Netherlands, the better to encourage the English Romanists to Rebellion; Allen pulls out his Papal Tool, which he forgeth into a Pamphlet in the English Language, which he prints at Antwerp, calling it,

The Declaration of the Sentence of Sixtus Quintus.

And as a farther Interpretation of the Papal Intent, and the better to ingage the English to Rebellion, he joyns a second Part to it, called, An Admonition to the Nobility and People of England.

And that the Reader may better understand the Honesty of the Paper, take the Sum of it thus.

It begins with Calling the Queens Government impious and unjust; her self an Usurper, Obstinate and Impenitent, and so no good to be expected, unless she be deprived.

Therefore Pope Sixtus Quintus, moved by his own and his Predecessors Zeal, and the vehement Desire of some principal English-men, hath used great Diligence with divers Princes, especially with the Spanish King, to use all his Force, that she might be turned out of her Dominions, and her Adherents punished: And all this for good Reasons.

Because she is an Heretick, Schismatick, is excommunicated by former Popes, is Consummated, Disobedient to the Roman Bishop, and hath taken to her self the Ecclesiastical Jurisdiction over the (a) Souls of Men.

Because she hath against all Law and Right, usurped the Kingdom; seeing none (forsooth) must be Monarchs of England, but by the Leave and Consent of the Pope.

Because she hath committed many Injuries, Extortions, and other Wrongs against her Subjects.

Because she hath stirred up Sedition and Rebellion between the Inhabitants of Neighbouring Countries.

Because she hath entertained (b) Fugitives and Rebels of other Nations.

Because she sent and procured the (c) Turk to invade Christendom.

Because she persecuted the English Romanists, Cut of the (d) Queen of Scots, and abolished the Roman Religion.

Because she hath rejected and excluded the Ancient Nobility, and promoted to Honour obscure People, (e) and also used Tyranny.

Wherefore, seeing these Offences, some of them rendering her incapable of the Kingdom, others unworthy to live; His Holiness, by the Power of God and the Apostles, reneweth the Censure of Pius V. and Gregory XIII. against her, excommunicates and deposes her of all Royal Dignity, Titles, Rites and Pretences to England and Ireland; declares her illegitimate, and Usurper of the Kingdom, and absolves all her Subjects from their Obedience and Oaths of Allegiance due to her.

So he commandeth all, under Pain and Penalty of Gods Wrath, to yield her no Obedience, Aid or Favour whatsoever; but to employ all their Power against her, and to join themselves with the Spanish Forces, who will not hurt the Nation, nor alter their Laws nor Privileges, (f) Protestants only punish the wicked (f) Hereticks.

Therefore by these Presents we declare, that it is not only Lawful, but Commendable to lay Hands on the said Usurper, and other her Adherents, and for so doing, they shall be well rewarded.



And lastly, to all these Roman Assistants, is liberally granted a Plenary Indulgence, and Remission of all their Sins.

Q. Eliz.

The Queen, to defend her self, set forth a good Fleet of Ships, under the Command of Charles Lord Howard of Effingham, Lord High Admiral, and Drake Vice-admiral; she prepared two Armies, one of one thousand Horse and twenty two thousand Foot, under the Command of the Earl of Leicester. The other of thirty four thousand Foot, and two thousand Horse, under the Command of the Lord Hunsdon. And the Nation being jealous of the Papists, the Queen was perswaded to commit divers to *Witch Castle*, but could not be prevailed upon to execute any one, not so much as a Priest, notwithstanding the severe Laws then in being against them, and this great Preparation made against her, for the Conquering of England, and the bringing in of Popery.

Queen Elizabeths Preparation to defend her self. Camb. Annal. f. 405.

The Papists seeing such Preparations made by the Queen, set on foot a Treaty for Peace, and in February Commissioners went into Flanders, and the 12th. of April, 1588. the Spanish Commissioners met the English near Ostend, and the Treaty was carried on by the Spaniards, with design (if possible) to make England secure, and so to surprise them; for they dallied with the English, till the Spanish Fleet was come upon the Coast of England, and the Thundring of the Ordinance was heard from the Sea.

A Trick of the Spaniards. Camb. Annals. f. 3. f. 407. 408, 409, 410.

The 21st. of May, 1588. the Spanish Fleet set sail out of *Layo*, and was totally scattered and dispers'd by a very great Tempest; but being come together again, the 12th. of July, the whole Fleet set Sail again, and the 21st. both Fleets engaged, and after four several Sea-fights (the First, the 21st. the Second, the 23d. the Third, the 25th. and the Last, on the 27th. or 28th. of July) the Spanish Fleet, the last Day of the same Month, was driven Northwards, and made their Escape by Flight. This great Armada, which had been three Years in Rigging and Preparing, with infinite Expence, was within a Months space, four times fought with, and at the last overthrown, with the Slaughter of many Men, not an Hundred of the English being missing, and but one Ship lost; and after it had been driven round about all Britain, by Scotland, the Orkneys and Ireland, grievously tossed, and very much distressed, impaired and mangled by Storms and Wrecks, and indured all manner of Miseries, at length returned Home with Shame and Disgrace. The Prince of Parma never joyned them, for which he was sufficiently reviled by the Spaniards.

The Spanish Fleet at first dispers'd by Tempest. Camb. An. from 411. to 418. The Fleets engage. The Spaniard beaten.

As for Cardinal Allen, he was born in Lancashire, of good Parentage, was bred up at Oxford in Oriel Colledge, where he was Proctor; was preferred to a Canonship in York. In Queen Elizabeths Days he quitted England, became a Pensioner to the Spaniards; to carry on whose Designs against his Queen and Country, he was very industrious, for which Service, Sixtus V. created him a Cardinal 1587. and he died at Rome 1594. Oct. 16. He hath told us himself who were the chief Promoters of this Invasion, as Mr. Foulis tells us, and quotes for it, *Quodlibets*, Pag. 40, 41, 57. his own Words, as he relates it, are these.

Foulis Hist. 2. 7. cap. 6. f. 351. 352. Camb. Annals. f. 400. Bakers Chron. f. 381.

The King of Spain, at length, as well by his Holinesss Authority and Exhortations, as by his own unspeakable Zeal and Piety, moved also not a little by my humble and continual Suit, together with the afflicted and banished Catholics of our Nation, of all and every Degree, who have been by his special Compassion, and Regal Mercy, principally supported in this our long Exile, hath condescended at last, to take upon him this so holy and glorious an Act, &c.

And then proceeds to encourage, nay, and threaten too, the English to take up Arms against their Queen, and to joyn with the Spaniards and other Invaders. — If you will avoid the Popes, the Kings and other Princes high Indignation; let no Man, of what Degree soever, obey, abet, aid, defend, or acknowledge her, &c. — Adding — That otherwise they should incur the Angels Curse and Malediction, and be as deeply excommunicated as any, because that in taking her part, they should fight against God, against their Lawful King (a) against their Country, and not withstand.

(a) How cometh Philip to be lawful King of England.



**Q. Eliz.** withstanding all they should do, they should but defend her bootless, to their own present Destruction and eternal Shame.

What Mr. Foulis relates out of Clark a Secular Priest, is so remarkable with relation to this Invasion, that I cannot omit it, saith he, and quotes his Author.

**(c) C. W. A.** As for the Jesuits, you shall hear what (c) Clark the Priest saith, who with Watson, suffered afterward for Treason against King James.  
**Reply to Father Parson's Libel, f. 64, 65.**  
 First, It is most certain, that all the World had very admirable Expectance of that Army, and the Jesuits more than any.

**(d) They would** Secondly, It is plain by the Cardinals Book (if (d) it were his) written as a Preparative hint to us, as to that Account, that he was made Cardinal on purpose for that Exploit, and to have been sent hither presently upon the Spaniards Conquest. But Father Parsons saith, that he laboured to set forward, at that time, the Cardinals Preferment (if you will believe him) which maketh it evident, a primo ad ultimum, that Father Parsons was a Dealer in that Account.

**Allen was the** Thirdly, It is certain, that the Jesuits in Rome were great with the Spanish Ambassador Leger there, and had great recourse unto him, when the Matter was on foot, doth not this then urge them to be Concurrers thereunto?

**(e) Viz. The** Fourthly, It is likewise most certain, that the English Jesuits in Rome, appropriated certain Pallaces in London to themselves, to fall into their Lots (when the Matter was in handling) so wit, Burghley-House, Bridewel, and another, which I have forgot, making themselves cock sure of their already devoured Prey. This all the Students that lived in the (e) Colledge at that time will witness with me, now would I demand of you, what reasons they might have to be their own Carver, if they had not some Interest in that Affair?

Fifthly, We know that they were more forward in Rome concerning this Matter, than the Cardinal or any other; insomuch, as, at the first News of the Spaniards coming down into the narrow Seas, they would have had Te Deum sung in the Colledge for joy of Victory, if the Cardinal had not stayed it.

And to conclude, Doth not the posting of Father Parsons into Spain, presently after the Overthrow of this Army, for further dealing with the Spaniard for the time to come, and his better information in English Affairs; and Father Holt posting into the Low-Countries, for the like Purpose, to keep the Spaniard still in hope of future times, that this Mischance might not withdraw him from ever enterprizing the like afterwards, shew, that they were Dealers in the former? Doubtless all these Circumstances cannot but sufficiently prove it, that they were, in the Judgment of wise Men.

**Foulis Hist. L.** This Grand Invasion of the Spaniards, so contrived and carried on by the Pope, Spaniard, English Fugitives, Priests and Jesuits, being ruined and brought to nought, England might now afford it self some ease, her Enemies not being able on a sudden to recruit their great Losses, this Defeat in a manner breaking their Back, and cracking the Credit of Philip. But as by degrees he recovered, so by the Instigation of the English Fugitives, was he perswaded to carry on the same ill Will towards the Queen of England; the first step that is set, is to send over English Priests, who crept every day privately into England in great Numbers, from the Seminaries of Rome, France and Spain (for the Spaniard had lately founded a Seminary for the English at Valladolid) who laboured to draw the Subjects from their Obedience to the Queen, and to unite them to the Spaniards Party, which being discovered, the Queen put out a Proclamation, that none should harbour any man whatsoever, but upon Enquiry first made who he was, whether he came to Prayers in the Church, upon what Means he lived, where he dwelt the Year before, and other like Circumstances, that they who could not answer these Interrogatories, should be sent to Commissioners appointed in every Shire, lest the Common-wealth should receive any Damage.

**Camb. Annals**  
**f. 457.**  
**Bakers Chron.**  
**f. 379.**



Notwithstanding this Proclamation, and the severity of the Laws, one *Hesket*, who was set on by *Sir William Stanley* before named, undertook to persuade *Ferdinand Lord Strange* (who a little after by the Death of his Father *Henry*, became Earl of *Darby*) to depose the Queen, and take upon him the Title of the Crown, making pedegrees for him, drawing his pretended right from *Mary* his great Grand-mother, Daughter to *Henry* the 7th. And for a better encouragement, they gave him large promises of assistance of Men, and Money from the *Spaniard*, but withal threatening him with assured destruction, unless he would undertake the design, and conceal it, but the Earl, far contrary to their expectation, discovers *Hesket*, who confessing all, is executed.

Q. Eliz.

*Heskets Plot*  
to depose the  
Queen and set  
up the Lord  
Strange.  
*Fowlis Hist.* l.  
7. c. 7. f. 354.  
*Camb. Annals*  
l. 4. f. 477.

This being we have another more dangerous, set on by persons of the highest Rank, but it seems not unworthy the basest Action, of whom any Religion might be justly ashamed.

As a Prologue to this, we may understand, that *Don Sebastian* the forward King of *Portugal*, having ruined himself in the *African Expedition*, and his great Uncle Cardinal *Henry* succeeding him in the Kingdoms, and Dying unmarried, several made claim to the *Portugal Crown*. Amongst the rest, *Don Antonio*, Prior of *Crato*, natural Son to *Lewis* Brother to *Henry*. To him, being a *Portuguese*, many of the People bare an affection; so that at last, the rest let their Titles sleep, and the quarrel only remained between *Philip* the II. of *Spain*, and this *Antonio*. But *Philip* having the longest Sword, under the Conduct of *Alva*, wan the Kingdom; so that *Antonio* was forced to flee for refuge to our Queen *Elizabeth*, who afforded him some assistance and favour; by which means and protection, many *Portuguese* Ship't themselves for *England*, where they were received as friends, with all respect and honour. Amongst the rest was *Roderigo Lopez* a Jewish Phylician, whom the Queen entertained in her own Service, making him Phylician to her Household; and *Stephano Ferreira de Gama*, with *Emanuel Lasso*. These three were enticed by the *Spaniard* to undertake the Murther of the Queen, for which they were promised great rewards, but *Lopez* was to be the main instrument.

*Lopez his*  
*Treason against*  
*Queen Eliz.*  
*Camb. Annals*  
l. 4. f. 484.  
*Fowlis* l. 7. c.  
7. f. 354.  
*Bakers Chron.*  
f. 381.

*Lopez* confessed that of late years he had been allured to do service secretly to the King of *Spain*, which he did by means of one *Manuel Andrada* a *Portugal*, an Agitator under *Don Bernardino Mendoza*, the *Spanish* Ambassador in *France*.

*Lopez his*  
*Confession.*

That the said *Andrada* brought him from *Christophero de Mora* (a *Portuguese* but a great favorite of King *Philip* and an especial instrument for reducing *Portugal* under the *Spanish Crown*) a Rich Jewel an encouragement from *Philip* himself.

That he was informed of the King of *Spains* hopes of him, not only by *Andrada*, but by *Roderique Marques* a *Portuguese* also, but employed by the *Spaniard* on such wicked designs.

4. That he the said *Lopez* did assent to these wicked Councils.

5. That he did secretly advertise the *Spaniards* divers times of such affairs of the Queen as he could learn.

6. That he did also assent to take away the Queens Life by Poyson, upon a reward promised him of 50000 Crowns.

7. That he sent *Andrada* to confer with Count *Fuentez* about it.

8. That he directed *Stephano Ferreira de Gama*, to write Letters to *Stephano Ibera*, that he would undertake, as he had promised, to destroy the Queen by Poyson, provided that he might have the said 50000 Crowns.

9. That he sent these Letters by one *Gomez Davilla* a *Portugal*, that the reason why the Murther was not Executed according to promise was, because he perceived the delivery of the 50000 Crowns deferred, tho promised him from day to day.

That to take away this delay of the Execution, Count *Fuentez*, by the King of *Spains* Order, did sign and deliver Bills of Exchange for the said Money. \*

A Nunnery  
founded with  
the very Money

that was given to Poyson Queen *Eliz.* The Robinsons Anatomy of the Nunnery of *Lisborn*. p. 9.

This Money, or part of it, for security to *Lopez* was delivered to the Custody of the English Nuns, then at *Roan* in *France*; when the Money [the Plot failing and *Lopez* Executed] was given to the said Nuns, who carried it with them to *Lisbon* in *Portugal*, where they settled themselves in a Nunnery as appears by their Register Book.

These



**31. Eliz.**  
A Parliament  
called to secure  
the Queens  
Person and the  
Protestant Re-  
ligion against  
the Plots and  
Conspiracies  
of the Papists.

**31. Eliz. c. 2.**  
Rail. Stat.  
part. 2. l. 399.  
Papists not to  
remove above  
5 miles from  
the place of  
their abode.

These Plots and Conspiracies against the Queens Person, and for the Extirpating Heretic (as they called the Protestant Religion) moved the Queen to call a Parliament, which she did in the thirty fifth Year of her Reign, and recommended the preservation of her Person, and the Protestant Religion to them, that they would put her into a posture of defending her self, and these Kingdoms against any further attempts that might be made by the Pope, the Spaniard, or any other, which was done by giving her large supplies, and making an additional Act to the many that had been before made against the Papists; which is intituled, an Act for restraining of Popish recusants, to some certain places of abode. The preamble runs thus: For the better discovering, and avoiding all Traiterous and most dangerous conspiracies, and attempts, as are daily devised, and practised against our most Gracious Sovereign Lady the Queens Majesty, and the happy State of this Common-weal; by sundry wicked and seditious Persons, who terming themselves Catholics, and being indeed Spies and Intelligencers, not only for her Majesties Foreign Enemies, but also for Rebellious and Trayterous Subjects, Born within her Highnesses Realm and Dominions, and hiding their most detestable and diabolish purposes, under a false pretext of Religion and Conscience, do secretly wander, and shift, from place to place, within this Realm, to corrupt and seduce her Majesties Subjects, and to stir them to Sedition and Rebellion.

Then it is enacted, that every Papist Convict, dwelling or having a place of abode, should repair to such his dwelling house, or place of abode, and not remove above five miles from thence, upon the penalty of forfeiting his Goods and Chattels absolutely, and his Lands, Tenements and Hereditaments, and his Annuities during his Life, and they that have none are to repair to the places where they were Born, or where their Father or Mother should be living upon the same penalty.

Popish Copsy-holders convict to forfeit their Copsy-hold to the Lord, if he be not a Papist, if he be a Papist, then to the Queen.

Papists shall notify their coming, within Twenty days after their coming, and present themselves, and deliver their true Names in writing to the Minister, or Curate and Constable, &c. which is to be certified to the Sessions, and Inrolled there.

All Persons, not being Feme Covert, and not having Free-hold Lands of twenty Marks per annum above all charges, or Goods and Chattels above the value of Forty Pounds: If they do not obey this Act by repairing to their places of abode, &c. shall abjure the Realm, and the abjuration shall be entred on Record and certified: Refusing to abjure, or after abjuration, not going away within the time appointed, is made Felony. A Jesuit Seminar, or Massing Priest, refusing to answer directly, whether he be so or no, shall be imprisoned till he do make Answer: There is a saving in the Act to Persons Licensed, or Comanded by the Kings Process, or bound to yield their Persons to the Sheriff: Upon open submission, the offender is to be discharged, the submission to be entred into a Book by the Minister; he that relapseth, shall be in the same condition he was before such submission: Married Women are bound by this Act save in the Case of abjuration.

**Collens Treason.**  
**Foulis Hist.**  
**1. 7. c. 7. f.**  
**356.**

At the same time that Lopez was dealing withal about the Queens Murther, the Papists to make more sure, persuaded one Patrick Collen an Irishman, and a Fencer, to commit the same Villany against her Royal Person: In this Treason Stanley was very active, who with Sherwood and Holt, two Jesuits, confirmed him in the lawfulness of the action, giving him thirty Pounds towards his Journey into England (being then in the Low-Countries,) but he was taken, confessed all, and is Executed.

**York and Williams Conspiracy to kill the Queen.**  
**Foulis Hist.**  
**1. 7. c. 7. f.**  
**356.**  
**Camb. Antiq.**  
**6. 495. Bakers Chron. 382.**  
**Their Confess.**

The English fugitives beyond Seas, persuaded one Edmund York and one Richard Williams with others to kill the Queen: And this wicked Treason was agitated the same time, that Lopez and Collen were consulting about theirs: But these Traytors were also seized on, and suffered: The truth of which Conspiracy appears from their own confession, which take as followeth.

1. They confessed, that for an encouragement; Hugh Owen (a noted Traytor) at Brussels, had an assignation subscribed by Ibara, the Spanish Secretary, of 40000 Crowns to be given them, if they would kill the Queen.

2. That the said assignation was delivered to Holt the Jesuit, who shewed also the same to York, and produced the Sacrament and killed it, swearing that he would pay the said Monies when the Murther was committed.

3. That Stanley did earnestly persuade York to undertake it, animating him with the example of his Uncle Reginald.

4. That to forward the Plot, there were several consultations: Holt the Jesuit being a President.

5. That



That *Holt* said, if the design failed, they would then employ no more English, but Strangers.

That at these Consultations, there used several to be present; as *Thomas Throgmorton*, *Charles Paget*, *Hugh Owen*, *Dr. William Gifford*, the finisher of *Calvino Tarcissimus* of whose Treasons we have heard formerly, *Dr. Thomas Worthington* the chief promoter of the *Dumb Bill*, adding some notes to it: He also turned *Bristowes Motives* into Latin, and in his Old Age, turned Jesuit at Rome.

It was also confessed, that there were designed to come into England, to attempt her Death, one *Tipping*, an Englishman, one *Edmund Garret* at Ensign, with a *Walloon*, and a *Frenchman*.

That one *Young* had undertaken a Treasonable action too.

It was also confessed, that these three, *York*, *Williams* and *Young*, determined at their coming to England, to have put themselves into the Service of some great Noblemen of the Queens Council, thereby to have free access to the Court, and every one of them to seek their opportunities.

That *Williams* through zeal to the Cause, had wished his Sword in the Queens Guts.

That they had vowed, come what will of it, to be the Death of Her: And how furious and abominable *James Arbut* the Irish Jesuit and others were in this point; (4) *Dr. Robert Abbot* (a little after Bishop of Salisbury) hath abundantly from their Confessions, confuted the impudent *Andreas Endemon Joannes* and falsified all Foreigners.

(1) *Walpole* a Jesuit meets with one *William Squire* in Spain, and procures him, as an Heretic, to be put into the Inquisition, where with afflictions and fair Speeches, he drew him to be a Zealous Romanist.

Then he persuades him to kill the Queen; commends the Action to him as just and meritorious, offers him large promises, and at last *Squire* is fully persuaded, and undertakes the Murder. At this, the Jesuit *Walpole* rejoiceth, hugs and encourageth him, binds him by several Oaths, under pain of Damnation to be secret, and perform his promise, and not to fear Death: for, said he, *What doth it profit a Man to gain the whole World, and lose his own Soul*? Assuring him, if he did but once doubt of the lawfulness and justice of the Action, that mistrust would be enough to Damn him, such a sin being seldom pardoned.

Then he embraceth him, then throwing his left Arm about *Squires* Neck; so hugging him with his right hand, he makes the sign of the Cross upon *Squires* Forehead, and blessing him, God Bless thee my Son, and strengthen thee, be of good Cheer; I will pray for thee, and thou shalt always have the benefit of my Prayers; and whither thou shalt enjoy a full pardon and remission of all thy Sins. And another time thus encourageth him: There is one thing necessary, which if thou prefer before all other things, and dost fulfil it, I have my desire, and thou shalt be a glorious Saint in Heaven.

Thus divelishly resolved, gets into England, goes to Greenwich, where the Queen was, watcheth opportunity; and being inform'd that the Queen was to ride abroad, goeth to her Horse, holdeth him according to his place; and cunningly puts his Poyson upon the pumel of the Saddle; yet saying with a loud Voice, as he mounted, God save the Queen. But such was the providence; that her Majesty, when she was getting up, riding, or going down, once touched the Pumel; yet he did not see, but that in time it would work the intended ruin, fully persuaded the Queen had laid her hands on it.

Of the Poyson, being great expectation amongst some, and seeing no signs of any effect, they became incensed against *Squire*, thinking that he had left them and was gone in the lurch, and meerly deluded them: Thus jealous and enraged, a revenge is taken on, and *Squire* cunningly accused of some design against the Queen, *Squire*, upon the point, is Examined, and wondering how any thing should be known against him, not suspecting *Walpole* his confession, and believing all was fully discovered, freely confesseth all as above is said; so, as a Traytor, is Condemned and Executed. I have now my account of the History of making the Penal Laws in this Queens Reign, with the words of the secular Priests in their important considerations relating to the Papists, and writ from 1588 to the end of her Reign; whereby they charge the Queen, and lay blame on the Jesuits.

But

(i) Antilogia, c. 8. f. 116, to 121.

Walpoles Conspiracy with Squire against the Queens Life.

(b) There were three Brothers of Norfolk all Jesuits, viz. Henry, Michael and Richard Walpoles, Robert Abbot, Antilog. f. 122, 123.







was ploding amongst his Papers, and playing the herauld; how, if all his said wicked designments failed, he might at the last Intitle the King of Spain, and consequently the Infanta his Daughter to the Crown and Kingdom of England. To which purpose he framed, and after published a Book, wherewith he acquainted the Students in those Seminaries in Spain, and Laboured nothing more, then to have their subscriptions to the said Infanta's Title, therein promising unto her their present Allegiance, as unto their lawful Sovereign; and that when they should be sent into their Country, they should persuade the Catholics there to do the like, without any further Expectation of the Queen of England's Death. As Mr. Charles Paget affirmeth in his Book against Parsons.

They confess in these words: 'That the Jesuitical designments beyond the Seas, together with certain Rebellions and Traiterous attempts of some Catholics at home, have been the cause of such Calamities and troubles as have happened to us far less (we think) then any Prince living in Her Majesties Case, and so provoked, would have inflicted upon us. And after they tell us, that divers of their Communion have owned so much. I shall conclude this Reign with these words of theirs which fully justify the making the Laws that were made in it.

Collect. 33, 54.

'We are fully persuaded in our Consciences; and as Men, besides our Learning, who have some experience, that if the Catholics had never sought, by indirect means, to have vexed Her Majesty with their designments against her Crown; if the Pope and King of Spain had never plotted with the Duke of Norfolk: If the Rebels in the North, had never been heard of; if the Bull of Pius the V. had never been known; if the said Rebellion had never been justified: If neither Steukly nor the Pope had attempted any thing against Ireland, if Gregory the Thirteenth had not renewed the said Excommunication, if the Jesuits had never come into England, if the Pope and the King of Spain had not practised with the Duke of Guise for his attempt against Her Majesty, if Parsons and the rest of the Jesuits, with other our Countrymen beyond Seas, had never been agents in these Traiterous and Bloody designments of Throckmorton, Parry, Collen, York, Williams, Squire and such like, if they had not by their Treatises and writings endeavoured to defame their Sovereign and their own Country, labouring to have many of their Books Translated into divers Languages, thereby to shew more their own disloyalty: if Cardinal Allen and Parsons had not published the Renovation of the said Bull by Sixtus Quintus; if thereunto they had not added their scurrilous and unmanly Admonition, or rather most Prophane Libel against Her Majesty; if they had not sought by false persuasions, and ungodly Arguments to have allured the Hearts of Catholics from their Allegiance, if the Pope had never been urged by them to have thrust the Kingdom of Spain into that Barbarous Action against the Realm, if they themselves with the rest of that generation, had not laboured greatly with the said King for the Conquest and Invasion of this Land by the Spaniards, who are known to be the cruelest Tyrants that live upon the Earth: If in all their Proceedings, they had not from time to time depraved, injured and provoked both Her Majesty and the State, with these and other such like ungodly and unchristian practices: But on the contrary, if the Popes from time to time had sought her Majesty, by kind Offices and gentle Persuasions, never making this prosecution of those and such-like courses of humanity and gentleness, if the Catholics and Priests beyond the Seas had laboured continually the furtherance of their most Priest-like and Divine allurements, and had framed their own proceedings in all their words and writings accordingly, if we at home, all of us, both Priests and People, had possessed our Souls in meekness and humility, honoured Her Majesty, with the infirmity of the State, suffered all things, and dealt as true Catholics. If all of us (we say) had thus done, most assuredly the State would have loved us, or at least born with us; where there is one Catholic, there would have been no more. There had been no Speeches amongst us, of Racks and Tortures, nor any cause to have used them; for none were ever vexed that way simply, for that he was either Priest or Catholic, but because they were suspected to have had their hands in some of the said most Traiterous designments: None of Her Majesties Enemies could really have attempted her State and Kingdom; we had been in better friendship with those that seek now most to oppose themselves against us, and to all Men [are] persuaded. Bonus odor Christi odor vite ad vitam. Whereas by following the said new violent Spirits, quasi turba impellentes parietem, we are become, odor mortis ad vitam, non solum his qui percutiunt, sed etiam his qui salvi sunt. And therefore let us all turn over the Leaf, and take another course, then hitherto we have done.

Collect. 55, 56  
57.



The Secular  
Priests confess  
all the matters  
before related  
to be true.  
Collection, f.  
46.  
Colled. f. 94.

Camb. saith  
70. Annals f.  
111. 3. 8. 2.

Heskets Plot.

Cullen.

Lopez.

York and  
Williams.

Walpool.

The Spaniard  
designed a Se-  
cond Invasion.

But now we are come to the Year 1588. and to that most Bloody attempt, not only against Her Majesty and our common Enemies, but against our selves, all Catholics: Nay, against this flourishing Kingdom and our Native Country. The Memory of which attempt will be (as we trust) an ever-lasting monument of Jesuitical Treason and Cruelty.

Then reckoning up the Treasons from 1580. to 1590. Let us consider, say they, how we our selves all this while have been dealt with, such of us as remained in Prison at *Witch*, (and were committed thither, 1580. and others not long after committed also thither, to the number of about thirty three or thirty four) continued still in the several times of all the said most wicked designments as we were before, and we were never brought into any trouble for them, but lived there Colledge-like, without any want, and in good reputation with our Neighbours that were Catholics about us. It is true, that towards the number of 40. (as our Memory serveth us) Priests and Catholics of all sorts, within the Compass of the said ten Years were put to Death; we say, upon our knowledges (concerning the most of them) for their Consciences; but our Adversaries (as they think) do still affirm for Treason: Such Priests as in their Examination were found any thing moderate, were not hardly proceeded with inasmuch as 55. (to our remembrance) that by the Laws (we acknowledge) might have been put to Death, were in one Year, viz. 1584. what time great Mischiefers were in hand) spared from that extremity, and only banished: which fact, howsoever some have written of it, the Parties themselves accounted it for a great benefit, and so would they also have done (we doubt not of it) if they had been of that number. Whereas therefore Mr. Parsons (as we think) exclaimeth in a Pamphlet set out shortly after, laying, *where are now the Old Tyrants of the World? Nero, Decius, Dioclesian, Maxentius and the rest of the great Persecutors of the Christians? Where is Genserick and Henrick with their Arian Heresies* alluding to the State. Here we think both him and divers others that have written to the same effect, very greatly to blame. Sure we are, that the general Cause of Religion, for the which both we and they contend (as our we have said) getteth no good but hurt by it; and contrary to the Old saying (be he never so bad, yet let him have justice,) tho some hard Courses have been taken by the State against us, yet hath it not by many degrees been so extrem as the Jesuits and that Crue have falsely written and reported of it (nor indeed as they deserved.)

Afterwards they inveigh against the Spanish Invasion, against Parsons for a Book he writ, and against him and Creswel, for another they writ, they go on thus: Whilst the said Invasion was thus talked of, and in preparation in Spain, a shorter course was thought of, it might have had success. Mr. Heskets was set on by the Jesuits, 1592. or thereabouts with Father Parsons consent or knowledge, to have stirred up the Earl of Derby to Rebellion against Her Highness.

Not long after good Father *Hale* and others with him, perswaded an Irish-man one Patrick Cullen (as he himself confessed) to attempt the laying his violent and villanous hands upon Her Majesty. Shortly after in the Year 1593. that Notable Stratagem was Plotted (the whole State knoweth by whom) for Dr. Lopez the Queens Physician to have Poysoned her, for the which he was Executed the Year after. This wicked designment being thus prevented by Gods providence, the said Traiterous Jesuit, *Hale* and others did allure and animate one York and Williams, to have accomplished that with their Bloody hands, that the other purposed to have done with his Poyson; we mean Her Majesties destruction. Hereunto we might add the late Villanous attempt 1599. of Edward Squire animated and drawn thereto (as he confessed) by Walpool that pernicious Jesuit. But we must turn again to Father Parsons, whose turnings and doublings are such as would trouble a right good Hoind to Trace him. For in the mean time, that the said Traytors one after another, were Plotting and Studying how best they might compass Her Majesties Death; they cared not how nor by what means, he the said Father Parsons so prevailed with the King, as he attempted twice in two sundry Years, his new Invasion, meaning to have proceeded therein, not with such great preparation as he did at the first, but only to have began the same, by taking some Port *Westward*. Towards which he came so far onward as *Sidley* with his Fleet. At both which times, God who still hath fought for her Majesty and this Realm; did notably prevent him, by such Winds and Tempests, as the most of his Ships and Men perished in the Sea as they were coming hitherward. Furthermore, the said good Father in the midst of all the said Trayterous enterprises both at home and abroad, (devised and set forward by him and his Companions)

was



was ploding amongst his Papers, and playing the herauld; how, if all his said wicked designments failed, he might at the last Intitle the King of Spain, and consequently the Infanta his Daughter to the Crown and Kingdom of England. To which purpose he framed, and after published a Book, wherewith he acquainted the Students in those Seminaries in Spain, and Laboured nothing more, then to have their subscriptions to the said Infanta's Title, therein promissing unto her their present Allegiance, as unto their lawful Sovereign; and that when they should be sent into their Country, they should persuade the Catholics there to do the like, without any further Expectation of the Queen of Englands Death. As Mr. Charles Paget affirmeth in his Book against Parsons.

Collect. 33, 54.

They confesse in these words: 'That the Jesuitical designments beyond the Seas, together with certain Rebellions and Traiterous attempts of some Catholics at home, have been the cause of such Calamities and troubles as have happened to us far less (we think) then any Prince living in Her Majesties Case, and so provoked, would have inflicted upon us. And after they tell us, that divers of their Communion have owned so much. I shall conclude this Reign with these words of theirs which fully justify the making the Laws that were made in it.

Collect. 55, 56  
57.

'We are fully persuaded in our Consciences; and as Men, besides our Learning, who have some experience, that if the Catholics had never sought, by indirect means, to have vexed Her Majesty with their designments against her Crown; if the Pope and King of Spain had never plotted with the Duke of Norfolk: If the Rebels in the North, had never been heard of; if the Bull of Pius the V. had never been known; if the said Rebellion had never been justified: If neither Steukly nor the Pope had attempted any thing against Ireland, if Gregory the Thirteenth had not renewed the said Excommunication, if the Jesuits had never come into England, if the Pope and the King of Spain had not practised with the Duke of Guise for his attempt against Her Majesty, if Parsons and the rest of the Jesuits, with other our Countrymen beyond Seas, had never been agents in these Traiterous and Bloody designments of Throckmorton, Parry, Collen, York, Williams, Squire and such like, if they had not by their Treatises and writings endeavoured to defame their Sovereign and their own Country, labouring to have many of their Books Translated into divers Languages, thereby to shew more their own disloyalty: if Cardinal Allen and Parsons had not published the Renovation of the said Bull by Sixtus Quintus; if thereunto they had not added their scurrilous and unmanly Admonition, or rather most Prophane Libel against Her Majesty; if they had not sought by false persuasions, and ungodly Arguments to have allured the Hearts of Catholics from their Allegiance, if the Pope had never been urged by them to have thrust the Kingdom of Spain into that Barbarous Action against the Realm, if they themselves with the rest of that generation, had not laboured greatly with the said King for the Conquest and Invasion of this Land by the Spaniards, who are known to be the cruelest Tyrants that live upon the Earth: If in all their Proceedings, they had not from time to time depraved, irritated and provoked both Her Majesty and the State, with these and other such like ungodly and unchristian practices: But on the contrary, if the Popes from time to time had sought her Majesty, by kind Offices and gentle Persuasions, never seeking the prosecution of those and such-like courses of humanity and gentleness, if the Catholics and Priests beyond the Seas had laboured continually the furtherance of those most Priest-like and Divine allurements, and had framed their own proceedings in all their words and writings accordingly, if we at home, all of us, both Priests and People, had possessed our Souls in meekness and humility, honoured Her Majesty, with the infirmity of the State, suffered all things, and dealt as true Catholic Priests. If all of us (we say) had thus done, most assuredly the State would have loved us, or at least born with us; where there is one Catholic, there would have been us. There had been no Speeches amongst us, of Racks and Tortures, nor any cause to have used them; for none were ever vexed that way simply, for that he was either Priest or Catholic, but because they were suspected to have had their hands in some of the said most Traiterous designments: None of Her Majesties Enemies durst really have attempted her State and Kingdom; we had been in better friendship with those that seek now most to oppose themselves against us, and to all Men we were persuaded. Bonus odor Christi odor vite ad vitam. Whereas by following the said new violent Spirits, quasi verba impellentes parietem, we are become, odor mortis ad mortem, non solum illi qui pereunt, sed etiam illi qui salvi sunt. And therefore let us all turn over the Leaf, and take another course, then hitherto we have done.



## CHAP. VIII.

Sir Edward  
Coke Attorney  
General to  
King James  
the First, in o-  
pening the fact  
of the Gun-  
Powder-Plot, at  
the Tryal of  
Garnet the Je-  
suite, mentions  
these Treasons  
and Conspira-  
cies. The Rela-  
tion of the  
Tryal was Prin-  
ted Anno  
1606. which  
being taken no-  
tice of whilst  
things were  
fresh in memo-  
ry, gives the  
greatest confir-  
mation to the  
truth of them.

AND now a Man might reasonably suppose, that after the first Plottings of the Papists with the *Guises*, the *French King*, and the *Pope*, on behalf, and by the instigation of the *Queen of Scots*; after *Harding*, *Saunders*, and *S. P.* busily exercising their Episcopal Power in *England*, in 1568; after *Ridolph's* exciting *Queen Elizabeth's* Subjects to Rebellion, sent hither by *Pope Pius Quintus* for that purpose; after the Rebellion in the *North* fomented by *Morton*, sent hither by the same *Pope*, to that end, headed by the *Earls of Northumberland and Westmorland*, who were encouraged thereto by a Letter from the same *Pope*; After *Dacres* his Rebellion in *Cumberland*; after the *Earl of Ormonds Brethren*, the *Botchers* Rebellion in *Ireland*; after *Pope Pius Quintus* his Bull, declaring the *Queen* Excommunicate and her Subjects absolved from their Allegiance, after the *Earl of Twomonds* Rebellion in *Ireland*; after *Storrs* Treason; after the *Spaniards*, the *Pope* and the *Guises* contrivances to kill the *Queen*, and set up *Mary Queen of Scots*, and introduce Popery; after I say, these things had occasioned the making the 13 *Eliz. cap. 12*; And after *Stukelys* Plot to invade *Ireland and England* at once; After *Fitz Morris* his Rebellion in *Ireland*, carried on after his Death by *Desmond*; after another conspiracy in *Ireland* for the destruction of the Protestant Religion; after the erecting *Seminaries* abroad, for the educating and bringing up Priests to be sent hither to alienate the Hearts of the Subject from their Sovereign, and the Actual sending of *Campion*, *Parsons* and others into *England* for that purpose, who were detected in their attempts to compass such their wicked designs, and Executed for Treason; after I say these things had raised a greater jealousy of the Papists in the State, and caused them to make the 23 *El. cap. 1*. And after *Somervills* Conspiracy to kill the *Queen*; after *Francis Throgmortons* Conspiracy to depose the *Queen* by Foreign Force; after a further design of the *Pope*, the *Spaniards* and the *Guises* for invading *England*, in order to destroy the Protestant Religion; after *Parry's* Treason, all which Conspiracies and Treasons extorted from the State the 27 *Eliz. cap. 1. and 2.* after *Gilford Savage*, *Babington* and others design to kill the *Queen*, and set up *Mary Queen of Scots*, who was at the Bottom of this design herself, and promised to reward the Actors in it, for which she was Tried, Condemned and Executed; after *Staffords* Conspiracy and *Torkeys* Plot; which Treasons occasioned the making the 29 *Eliz. cap. 6.* and after the *Pope*, and the *Spaniards* design in 1588. to invade *England*, and thereby destroy the Protestant Religion, with its defender by a Force, by them called, the *Invincible Armada*, and this begun and carryed on by *English* Priests and Lay-Papists; after *Heskeths* Plot to depose the *Queen* and set up the *Lord Strange*; After *Cullens* Conspiracy to murder the *Queen*; after *Lopez* his Conspiracy to poison the *Queen* for which the *Spaniard* was to pay 50000 Crowns; which Treasons did (as it were) compel the State to make the 35 *Eliz. cap. 2.* for confining Papists within five Miles of their dwelling; I say, after all these Plots, Conspiracies, Treasons and open Rebellions, invented, begun, and carryed on by the Papists, and all with so little Success, and after their own Confession of the whole to be true, and their own advice to turn over a new Leaf; a man might reasonably suppose, that they should have ceased any further Attempts by Treason, Rebellion, Plot, or Conspiracy to introduce the *Papish* Religion into *England*: But such is the inveterate Malice and implacable Hatred of the *Pope* and all that are of the Communion of the Church of *Rome* (if I may call it a Church) that even before the peaceable *James the First* of *England*, and the *Sixth* of *Scotland* was placed upon the Throne by the unanimous consent of all the Protestant Subjects of *England*, as (appears by the Act of Recognition made in the first year of his Reign) there were several Plots for the taking away his Life; and in one Plot, even *Watson* and *Clark* (two secular Priests of the *Romish* Church; the former whereof joyned with *Blues* the Secular Priest, in writing the *Impious considerations* before mentioned, wherein they acknowledge all the Plots, Conspiracies, Treasons and Rebellions before mentioned, to have been committed by Papists, but insinuate it to be done by the instigation of the *Jesuits*.) are found in a Plot against the said King *James*, and Executed for it; but before I mention any thing of that Plot, I shall give a short Account of what designs were



were on foot, against the said King James his Life, before his accession to the K. JA. I. Crown.

Queen Elizabeth being old and weak (and as they thought, could not live long) the Papists thought it needless to make any more attempts against her person, least her death should anticipate their quickest Designs: But she and the Kingdom having their Eye upon the said King James, being a Protestant, to succeed her, their main drift was to prevent him, if possible, from succeeding Queen Elizabeth.

The Papists plot against James the First, before his coming to the Crown.

In order to this in the Year 1601. there was one Francis Mowbray, Son to the Laird Barnbougal, who had lived some while in the Infanta's Court at Brussels, he they say undertook to take this rab out of the way, by killing the King, to which purpose he went for Scotland, but took England in his way. At London one Daniel an Italian Fencing Master, discovers the Plot to the Queen; she seized them, and sent them into Scotland: Mowbray supposed Guilty, is cast into Edinburgh Castle; whence thinking one Night to escape out of a Window by his Bed sheets, they proved too short, and he fell upon the Rocks and so dyed, his Body was hanged for sometime, then quartered, and set upon the Gates, and several places of the City.

Mowbray's Plot against King James the First.

Fowles Hist. li. 10. cap. 1. f. 498.

1601.

This Design failing, another is in hand in Italy, Ferdinando I. the Grand Duke of Tuscany, by the intercepting some Letters, discovereth a Plot to poyson the said King James. The Duke, by what reasons induced, is not material, but 'tis conjectured, in hopes to convert him, (rather pervert him) to the Romish Religion, resolved to discover and prevent it. At this time one Mr. Henry Wotton sojourned in Florence, and was well acquainted with Seignior Vietta, the Dukes Secretary; upon whose Commendations Wotton is pitched on to be the Messenger. The Letters and excellent Antidotes against Poyson (such as were not then known in Scotland) were delivered to him, who disguised under an Italian Garb and Name of Ottavio Baldi, hasteth into Scotland, cometh to the King, discovereth himself and the Conspiracy, and after some stay returneth to Florence, he was afterwards Knighted by King James.

A design to poyson King James the First.

1602.

As the Popes are never without Designs for promoting some of their Nephews, so Clement the VIII. the then Pope, in those Designs against the said King James his succeeding Queen Elizabeth was not wanting, intending the Crown of England for some of his friends, and perceiving that some in England (English Papists to be sure) were tampering to promote the Interest of the Lady Arabella, in this case he thought it best to deal warily; he was very desirous that the Duke of Parma should wear the Crown of England, but finding that this was not feasible, by reason Arabella's Interest was too strong for him, he steers another course, and thinks of Cardinal Farnese, who being unmarried, might take to Wife Arabella, and so unite Forces and Interests to carry the Crown. To carry on this design, it was advised that all the Romanists in England should unite, that their Cause might not suffer by any dissensions about this Succession amongst themselves (a good Caution may hence be given to all Protestants in England, that they do not doubt their present Majesty's King William and Queen Mary's accession to the Crown; (who under God) are the preservers of the Protestant Religion amongst us; for vis unita fortior; and nothing but division can hurt us) to promote this union the Romish Clergy, who then had and still have a great awe and authority over the Layety, were exhorted by the Pope to be all of a Mind, as to this Succession, and to press it home upon the Layety, that so the Layety might not be divided. To which purpose it was concluded, that there should be an Arch Priest, who should have a Jurisdiction over the rest, who are to be according to his Rules and Directions, and in these designs Father Parsons (who was not yet advanced according to his merit) was a main stickler and contriver; the Pope also had drawn up some Bulls, and sent to his Nuncio in the Netherlands to be spread abroad at convenient times, wherein he declared that not any, though never so near in blood, should after Queen Elizabeth's death be admitted to the Crown, but such an one as would not only tolerate the Roman Religion, but would further promote and settle it; and that in the mean time, Cardinal Farnese might in this have the greatest vogue, the Pope made him Protector of England (as Pope Sixtus V. had before made Mary Queen of Scots, Queen of England to carry on the same design) as he was of other Country's; Nay rather then fail, the same Pope had formerly exhorted the French and Spaniards to unite, invade England and divide it be-

The Pope's design to exclude King James the First.

1602.

1602.

tween



**K. James** between them, nor did they neglect to instigate the Family of the Pools to have a Right.

Divers other Attempts were made by *Winton*, *Desmond*, and other Priests and Jesuits to exclude King James the First, but all proved abortive, as did the Treasons plotted against him, after his Accessions to the Throne.

**Queen Elizabeth's death** On the 24th of March 1603. the Virgin Queen Elizabeth, of every Glorious Memory, exchanged her corruptible for an incorruptible Crown, after she had Reigned Forty four Years and Four Months, and in the Seventieth Year of her Age, of whom her Successor gave this Character, that she was one, who in wisdom and felicity of Government, surpassed all the Princes since the days of Augustus.

**King James the First** She being dead, some few hours after King James was Proclaimed King of England the First, of Scotland the Sixth, and no sooner is he set upon his Throne; even before he could well get the Crown upon his Head, but we find a Plot laid against his Life; for though the Papists could not keep him from the Throne, they were resolved (if possible) that he should not sit long there. This Plot I must confess is (*prima facie*) of a strange Complexion; but when 'tis well viewed, if we look upon the Majority of the Persons concerned, we shall find them to be *Romish* Priests and *Lay* Papists, and therefore, if a thing may take its denomination from the greater part, this may sure, and we may safely call it a *Papish Conspiracy*, for although some Protestants were inveigled into it; Yet they were the smaller number, and at that time under a discontent, (a) which oftentimes carries Men beyond the Principles of their Religion, and to do things contrary to the Rules of right Reason. Whither their discontent was well grounded or not, is not my purpose to enquire; but taking it for granted they were Malecontents, I shall now give an account of who were Actors in this Design, and what the Design itself was.

**The Names of the Conspirators.** Fowles Hist. li. 10. ca. 1. f. 499. 500. Bakers Chron. f. 404. VVilsons Hist. of Great Britain f. 4. The main Actors in this Conspiracy were *William Watson* and *Clark*, who had both writ against the Jesuits for their Treasons and Conspiracies, *Sir Griffin Markham*, Count *Aremberg*, Ambassador from the Arch Duke of *Austria*, *Mathew de Laurency* a Merchant but an Instrument employed by *Aremberg*, all zealous Papists, *Sir Edward Parham* a Papist, *Bartholomew Restarby*, and *Anthony Cope*, Papists, *Henry Brook* Lord *Cobham*, and *George Brook* his Brother, who seemed to be Protestants, *Thomas Lord Grey of Wilton* a Protestant then called a Puritan, and *Sir Walter Raleigh* a States-man and Souldier, and *John Smith*, troubled with no more Religion, than would serve his interest and turn.

**The design itself** Fowles Hist. li. 10. ca. 1. f. 499, 500. Bakers Chron. f. 404. VVilsons Hist. f. 4. The design was, to let the Crown on the Head of the Lady *Arabella*; or to seize on the King, and make him grant their desires and a Pardon, to raise a Rebellion and alter Religion and Government, and in order thereunto, to procure aid and assistance from Foreign Princes, to turn out of the Court such as they disliked, and to place themselves in Offices, *Watson* was to have been Lord *Chancellor*, *George Brook* Lord *Treasurer*, *Sir Griffin Markham* Secretary of State, *Lord Grey* Master of the Horse, and *Earl Marshal* of England, for the more secure carrying on these designs *Watson* drew up an Oath of Secrecy, which they all took. But all is discovered, they are Apprehended, Examined and Tried in November 1604 at their Tryal they insisted, that this could not be Treason, because the King was not then Crowned, but this Plea was soon over-ruled, and they legally Convicted of the Treason, and *Watson*, *Clark* and *George Brook* were Executed, the rest finding Mercy; the King being loath to soil his Throne with Blood, and therefore spilt no more then was absolutely necessary. The Lord *Grey* dyed in the Tower, the last of that Line.

(a) Said to lose his Life to gratify Gondamor, Bakers Chron. f. 516. Willson f. 115, 116, 117. \* Osborn Traditional Memoires of King James p. 12. (a) Raleigh was beheaded in 1618. The rest were discharged of Imprisonment, but dyed miserably poor. *Markham* and some others abroad; but *Cobham* (as we are told) in a Room attended by a Ladder at a Poor Woman's house in the *Minories* (formerly the *Landress*) dyed rather of Hunger than a Natural disease. This Conspiracy gave occasion for the Kings looking about him, and taking such measures, as might secure his Person and Government against such attempts for the future; and perceiving that swarms of Priests came every day over from the Foreign Seminaries, he thought there must be a hatching; and therefore issued out his Royal Proclamation, which I find related by *Willson* in these Words.

Having



James

King James  
1st. his Pro-  
clamation a-  
gainst Jesuits.  
Willsons Hist.  
f. 9.

Having (after some time spent in settling the politick Affairs of this Realm) of late be-  
stowed so small Labour in Compoling certain Differences we found among our Cler-  
gy about Rites and Ceremonies heretofore established in this Church of England, and  
reduced the same to such an Order or Form, as we doubt not but every Spirit, that  
is led only with Piety, and not with Humour, should be therein satisfied: it appears  
unto us in debating these Matters, that a greater Contagion to our Religion, then  
could proceed from these light Differences, was imminent, by Persons, common En-  
emies to them both; Namely, the great numbers of Priests, both Seminaries and Je-  
suits, abounding in this Realm, as well of such as were here before our coming to the  
Crown, as of such as have resorted hither since, using their Functions and Professions  
with greater Liberty then heretofore they durst have done, Partly upon a vain  
Confidence of some Innovation in Matters of Religion, to be done by us, which we  
never intended nor gave any Man cause to suspect; and Partly, from the assurance  
of our general Pardon, granted according to the Custom of our Progenitors, at our  
Coronation, for Offences past in the Days of the late Queen, which Pardons many of the  
said Priests have procured under our Great Seal, and holding themselves thereby free  
from Danger of the Laws, do with great Audacity Exercise all Offices of their Profession,  
both saying Masses, and perswading our Subjects from the Religion established, re-  
conciling them to the Church of Rome, and by Consequence seducing them, from  
their Duty and Obedience to us, wherefore we hold our selves obliged both in Con-  
science and Wisdom, to use all good means to keep our Subjects from being affected  
with superstitious Opinions, which are not only pernicious to their own Souls, but  
the ready way to corrupt their Duty and Allegiance, which cannot be any way so  
safely performed, as by keeping from them the Instruments of that infection, which  
are such of all sorts, ordained in Foreign parts, by Authority prohibited by the  
Laws of the Land, concerning whom, we have thought fit to publish unto all our  
Subjects, this open Declaration of our Pleasure, &c. Willing and Commanding,  
all manner of Jesuits, Seminaries and other publick Priests, having Ordination from  
any Authority by the Laws of this Realm prohibited, to take notice that Our Pleasure is,  
that they do before the nineteenth of March next depart forth of Our Realm and  
Dominions. And to that purpose it shall be Lawful for all Officers of our Ports,  
to suffer the said Priests to depart into foreign parts, between this and the said nine-  
teenth day of March; admonishing and assuring all such Jesuits, Seminaries and Priests,  
of what sort soever, that if any of them after the said time be taken within this  
or any of our Dominions, or departing now upon this our Pleasure signified, shall  
hereafter return into this our Realm, or any of our Dominions again, they shall be left  
to the Penalty of the Laws here, being in force concerning them, without hope of any  
Favour or Remission from us, &c. Which tho' perhaps it may appear to some a  
great Severity towards that sort of Our Subjects: Yet doubt we not when it shall be  
considered with indifferent Judgment, what Cause hath moved us to this Providence  
which will justify us therein; for to whom is it unknown, into what peril our Person  
was like to be drawn, and our Realm into Confusion, not many Months since by Con-  
sensus: First conceived by Persons of that sort. Which when other Princes shall duly ob-  
serve, we assure our selves they will no way conceive, that this Alteration proceedeth  
from any Change of Disposition, but out of Providence to prevent the Perils other-  
wise inevitable, considering their absolute Submission to foreign Jurisdiction at their first  
taking Orders, doth leave so conditional an Authority to Kings over their Subjects,  
the same Power by which they were made, may dispense at Pleasure, with the  
strict bond of Loyalty and Love, between a King and his People.  
Among which foreign Powers, though we acknowledge our self personally so  
much beholden to the now Bishop of Rome for his kind Offices, and private temporal  
Favours towards us, in many things; as we shall be ever ready to requite the same,  
yet we consider him (as Bishop of Rome, in state and condition of a Secular Prince) yet  
when we consider and observe the Course and Claim of that See; We  
have no reason to imagine that Princes of our Religion and Profession, can  
grant any assurance long to continue, unless it might be asserted by Mediation  
of other Christian Princes, that some good Course might be taken (by a general  
Council free and Lawfully called) to pluck up those Roots of Dangers and Jealousies,  
which arise about Religion, as well between Prince and Prince, as between them and  
their Subjects, and to make it manifest, that no States or Potentates, either both or  
any Challenge power to dispose of Earthly Kingdoms or Monarchies, or to dispute



James

with Subjects obedience to their natural Sovereign: In which charitable Account, there will be no Prince living, that will be readier then we shall be to concur, even to the utmost of our Power, not only out of particular Disposition, to live peaceably with all States and Princes of Christendom; but because such a settled Amity might (by an union in Religion) be established amongst Christian Princes, as might enable us all to resist the common Enemy. Given at our Pallace at Westminster the 22d. Day of February, in the first Year of our Reign, &c.

This Proclamation I thought fit to insert, because by it, it appears that King James himself was of opinion; that the before mentioned Conspiracy was conceived by the *Papists* Priests, however they prevailed upon some of the Protestant Profession to joyn with them in Midwiving it into the World, and therefore may truly be called *Papists*.

By the Kings issuing out this Proclamation, the heat and hopes of the *Jesuits*, and their Correspondents were somewhat allayed, but it made way for more dark and secret Contrivances, which they afterwards put into Practice, and I shall give a full Account of. But before I do that, I shall give you King James the First his Opinion of the *Papists*, both *Laicks* and *Clericks*, as he himself delivered it in his first Speech to his first Parliament in 1603. Take it in his own Words as related by *Willson*.

King James  
his Speech  
against *Papists*  
*Willson* f. 19.

For the *Papists*, I must put a difference betwixt my own private Profession of my Salvation, and my politick Government of the Realm for the weal and quietness thereof. As for my own Profession, you have me your Head now among You, of the same Religion that the Body is of, as I am no stranger to you in Blood, no more am I a stranger to you in Faith, or in Matters concerning the House of God. And altho' this my Profession be according to my Education, wherein (I thank God,) I suckt the Milk of Gods truth, with the Milk of my Nurse, yet I do here protest unto you, that I would never (for such a Conceit of Constancy, or other prejudicate Opinion) have so firmly kept my first Profession, if I had not found it agreeable to all Reason, and to the Rule of my Conscience: But I was never violent, nor unreasonable in my Profession; I acknowledge the *Roman* Church to be our Mother Church; altho' defiled with some Infirmities and Corruptions, as the *Jews* were, before they Crucified Christ. And as I am no Enemy to the Life of a sick Man, because I would have his Body purged of ill Humours; no more am I an Enemy to their Church, because I would have them reform their Errors, not wishing the downthrowing of the Temple, but that it might be purged and cleaned from Corruption: Otherwise how can they wish us to enter, if their House be not first made clean? But as I would be lother to dispense in the least point of mine own Conscience, for any Worldly respect, then the foolishhest Precisian of them all: So would I be as sorry to streighten the politick Government of the Bodies and Minds of all my Subjects to my private Opinions: Nay, my Mind was ever so free from Persecution, or intrhalling of my Subjects in Matters of Conscience, as I hope those of that Profession within this Kingdom have a proof since my Coming, that I was so far from increasing their Burthens with *Rhebovance*, as I have so much as either time, occasion or Law could permit, lightned them. And even now at this time, have I been careful to revise and consider deeply upon the Laws made against them, that some Overture might be made to the present Parliament, for clearing these Laws, by reason, (which is the Soul of the Law) in Case they have been in times past, further, of more rigorously extended by Judges, then the meaning of the Law was, or might tend to the hurt as well of the innocent, as of the guilty Persons. And as to the Persons of my Subjects which are of that Profession, I must divide them into two ranks *Clericks* and *Laicks*, for the *Laicks* I ever thought them far more excuseable then the other sort, because their Religion containeth such an ignorant, doubtful and implicate kind of Faith grounded upon their Church, that except they do generally believe whatsoever their Teachers please to affirm, they cannot be thought guilty of these particular points of Heresies, and Corruptions, which their Teachers so wilfully profess. And again I must subdivide the *Laicks* into two Ranks, which are either quiet and well minded Men, peaceable Subjects, who either being old, retain their first Drunk in Liquor, upon a certain Shame-faceness to be thought Curious, or Changeable: Or being young Men through evil Education, have been Nursed and brought up upon such Venome, instead of wholesome Nutriment; and this sort of People I would be sorry to punish their Bodies for

the



the Error of their Minds, the Reformation whereof must only come of God, and the true Spirit. But the other Rank of *Laymen*, who either through Curiosity, Affectation of Novelty, or Discontentment, have changed their Coats, only to be Factionous, stirrers of Sedition, and perturbors of the Common-wealth, this giveth a ground to me (the Magistrate) to take better heed to their Proceedings, and to correct their Obstinacy.

But for the *Clericks*, I must directly say and affirm, that as long as they maintain one special point of their Doctrine, and another of their Practise, they are no way sufferable to remain in this Kingdom, the point of Doctrine is, that Arrogant and Ambitious Supremacy of their Head the Pope, whereby he not only Claims to be spiritual Head of all *Christians*, but also to have an *Imperial* Civil power over all Kings and Emperors, Dethroning and Crowning Princes with his Foot as pleaseth him, and dispensing and disposing of all Kingdoms and Empires at his Appetite. The other point which they observe, in continual Practise, is the Assassination and Murders of Kings: Thinking it no sin, but rather a Matter of Salvation, to do all Acts of Rebellion, and Hostility against their natural Sovereign Lord, if he be once Cursed, his Subjects discharged of their Fidelity, and his Kingdom given a prey; by that three Crowned Monarch, or rather Monster their Head. And in this point I have no occasion to speak further here, saving that I could wish from my Heart, It would please God to make me one of the Members of such a general Christian Union in Religion, as (laying Wilfulness aside on both hands) we might meet in the midst, which is the Center, and perfection of all things. For if they would leave and be ashamed of such new and gross Corruptions of theirs, as themselves cannot maintain, nor deny to be worthy of Reformation, I would for my own part be content to meet them in the mid way, so that all Novelties might be renounced on either side: For as my Faith is the true Ancient and Apostolick Faith, grounded upon the express word of God; so will I ever yeild all reverence to *Antiquity*, in the points of Ecclesiastical Policy: And by that means shall I ever, with Gods Grace, keep myself from either being an *Heretick* in Faith, or *Shismatick* in Matters of Policy.

But of one thing would I have the *Papists* of this Land to be admonished, that they presume not so much upon my Lenity (because I would be loath to be thought a Persecutor) as thereupon to think it lawful for them, daily to encrease their number and strength in this Kingdom; whereby if not in my time, at least in the time of my Posterity, they may be in hope to erect their Religion again. No, let them assure themselves, that as I am a Friend to their Persons, if they be good Subjects; so am I a vowed *Enemy*, and do denounce Mortal War to their Errors; And as I would be sorry to be driven, by their ill Behaviour, from the Protection and Conservation of their Bodies and Lives; so I will never cease, as far as I can, to tread down their Errors, and wrong Opinions. For I could not permit the increase and growing of their Religion, without betraying my self, and my own Conscience, and this whole *Island*, as well the part I am come from, as the part I remain in, in betraying their Liberties, and reducing them to the former slavish Yoke, which both had cast off before I came among them, as also the Liberty of the Crown in my Posterity, which I should leave again under a new Slavery, being left free to me by my Predecessors. And therefore I would wish all good Subjects, that are deceived with this Corruption, if they find any beginnings in themselves, of Knowledge, and Love to the truth, to foster the same by all lawful Means, and to beware of quenching the Spirit that worketh within them. And if they can find as yet no Motion tending that way, to be studious to read and confer with Learned men, and to use all such means as may further their resolutions; assuring them, that as long as they are disconformable in Religion to us, they cannot be but half my Subjects, be able to do but half service, and I shall want the best half of them, which is their Souls. After which, the Parliament considering the said Proclamation and Speech, and that notwithstanding, the Jesuites, and Seminary Priests flockt over in great numbers into England, made an Act of Parliament; intituled, *An Act for the due Execution of the Statutes against Jesuites, Seminary Priests, Recusants, &c.* By which it is Enacted,

As they were very lately.

Suffering the increase of Popery called by Jam. I. a betraying England and Scotland.

1 Jac. cap. 4.  
Rast. Stat. 2.  
part. f. 550.



# An Historical Account of making the Penal Laws

76

**James**  
An Act for putting the Laws against Papists in Execution, and for punishing the Heirs of Papists.

That all Statutes made against Jesuites, Priests and Recusants should be put in Execution, but conforming himself should be discharged. If the Heir of Papist be a Protestant, he shall be discharged of all the Penalties, Charges and Incumbrances happening upon him or her, in respect of or by reason of any of his or her Ancestors Recusancy: But if the Heir of a Papist shall happen to be within the Age of sixteen Years, at the time of the Death of his Ancestor, and shall after such Age be or become a Papist, such Heir shall not be freed of the Penalty, &c. Unless he or she Conforms; that the two parts of a Papists Lands shall go towards the satisfaction of the twenty pounds per Annum forfeiture, and after his Death shall remain in the Kings hands until the Arrears be satisfied, that none shall lend or cause to be lent, any Person to any Colledge, Seminary, or house of Jesuites, Priests or any other Papist, Popish Order, Professing or Calling whatsoever, upon the Penalty of a hundred pound forfeiture; they that go or are sent, are disabled to inherit, purchase, take, have, or enjoy, any Estate whatever real or personal; and all Estates or Terms, conveyed to their Use or in Trust for them are thereby made void and null. That no Woman or Child under the Age of 21 Years shall go beyond Seas, without License of the King, or of six of the Privy Council, first had under their hands, the Officer of the Port that suffers such to pass, forfeits his Office and all his Goods and Chattels, the Owner of the Ship, his Ship and Tackle, and the Master and Barriners their Goods, and shall suffer twelve Months imprisonment without Bail, or Pain prize, Keeping School contrary to the Act, forty Shillings forfeiture.

The Gunpowder-Treason in 1604.

King James having by his Proclamation before the Parliament met, and in his Speech at the opening of the Parliament, thus freely declared against the Papists, especially the Priests and Jesuites, and the Parliament having made the said Law against them, and they despairing of any Toleration in Matters of Religion, which they had Petitioned for, now to their old Work of Plotting again, and a Plot they laid, they did I say? It was of that Nature, that it is next to incredible, that such a Complicated Villany, should ever enter into the heart of Man, *quod* Rational, much more, *quod* Christian; but one would rather think, it had been the product of a Consult in Hell, amongst the Devils themselves, and (if degrees of wickedness can be allowed to be there) amongst the worst of Devils too.

The Plot is self  
Foulis Hist. 1.  
10. cap. 2. f.  
507. Wilsons  
Hist. f. 28.  
Bakers Chron.  
f. 507.  
The Authors in  
it.

The Plot was this, with one blow to destroy King, Queen, Prince, Nobles and Commons who were not Papists, this is designed to be effected, by blowing up the Parliament House, when the King and Parliament were sitting, and killing those of them who were not in the House.

The Persons concerned in this Plot were Robert Catesby, the Contriver hereof, Henry Garnet, John Gerard, Oswald Tesmond, and other Jesuites, the Advisers thereto, Thomas Piquey, Robert Winter, John Grant, Ambrose Rookwood, John Wright, Francis Tresham, Sir Edward Digby, Guy Fauke, Robert Keys, Thomas Bates and others, Assistants in carrying it on.

To carry on this Design when it was laid, first an Oath of Secrecy was compiled, and afterwards the Conspirators took the same, and not only so, but Garnet confessed them, and they afterwards received the Sacraments, to bind them to the greater Secrecy; the Oath was this.

The Oath of Secrecy.

You swear by the Blessed Trinity, and by the Sacrament you now purpose to receive never to disclose directly or indirectly, by Word or Circumstance, the Matter that shall be proposed to you to keep Secret, nor desert from the Execution thereof till the rest shall give you leave.

After this was done, every Man betakes himself to the part assigned him, some to provide Money, other Materials, and others a place to lay the Materials in: The place pitched upon for placing the Materials in, was, Cellars under the Parliament House, which Thomas Piquey had hired for that purpose, the Materials were thirty six Barrels of Gun-Powder, provided in Flanders, carried into the Cellar from Lambeth in the Night, covered over with Wood, and Coals, and all provided at the Charge of the English Papists, who promised themselves, the extirpating this Northern Heresie, and introducing in its Room, Popish Superstition and Idolatry, as we call it, and the Divines of our Church have proved it to be, to the Conviction of all Men, who will not wilfully shut their eyes against the Light.

St. Everard  
Digby 1604  
the English  
Papists  
Tresham  
1600, f. 1.  
Piquey  
1600, f. 1.  
all others.

Things



77

Q. Eliz.

Foulis Hist: l.  
10. cap. 2. f.  
507.

*The Manner of  
the Discovery  
\* Answer to  
Sir Anthony  
Veldon's  
Court of King  
James. p. 72*

Foulis Hist. l.  
10. cap. 2. f.  
508. *Wilson's*  
Hist. f. 304

This Council is not to be censured, because it may do you good, and can do you no harm, for the Danger is past, as soon as you have burned this Letter, and I hope God will give you the Grace to make good use of it; to whose Holy Protection I commend you.



K. J. I.

Monteagle wondred at the Letter and its Delivery, and thinking it might relate to some Mischief, thought it his Duty to make it known; so away he goeth to *White-Hall*, shows it to the Earl of *Salisbury*, then Secretary of State, who tells some other of the Privy Council of it, and the King being returned from his Hunting at *Royston*, they delivered it to him.

His Majesty having seriously considered it, and all other Circumstances, concluded, that it might relate to some Design to blow up the Parliament; and in this Jealousie, ordered the Rooms and Vaults about the House to be searched, which was done the Night before the Session, when in the aforesaid Cellar, under the Lords House, were found the Barrels of Powder, and at the Door, standing *Guido Faux* booted and Spurred, with a large dark Lanthorn (now to be seen in *Oxford Library*) with Matches, Tinder-Box, and other Materials for his Design.

*Faux* was presently carried to Court and examined, where he appeared sturdy and scornful, maintaining the Design to be lawful; that *James* was not his King, because an Heretic; was sorry that the Plot failed, and that he had not blown up the House, with himself and those that were sent to search; affirming, that God would have had the Plot concealed, but it was the Devil who revealed it; at last, *Faux* himself confessed all that he knew of the Treasons. Thus far discovered, the King suspecting some Commotions or Risings, sent with all speed to prevent them by timely Notice, by *Lepton* and others. This was that Mr. *John Lepton* of *Yorkshire*, who rid so often betwixt *London* and *York* in one Week, viz. in May 1606, who though he won his Wager, yet was a Looser, never getting his Winnings.

*Piercy Wright*, &c. who now lurked about *London* to expect the fatal Blow, informed of the Discovery, takes Horse, making what haste they can to their Companions, appointed to be at the Rendezvous on *Dunsmore*; in brief, according to their Abilities, they run into open Rebellion, but to their own Destruction. The high Sheriffs, with other Magistrates and Loyal Subjects, so hunting them, that they were either all dispersed, slain or taken, and the Chief of them afterwards condemned and executed.

Proceedings against Garnet and his Confederates; printed by Robert Barker, Printer to the Kings Majesty, 1606. A true and impartial Report of their Tryals, as the Epistle to the Book informs us.

\* The Heads of the Speech of Sir Edward Coke, at the Tryal of some of the Conspirators.

And for the Confirmation of the Truth of these things, I shall here insert the Heads of Sir *Edward Coke's* Speech, at the Tryal of *Robert Winter*, and divers others for their Treason, in *Westminster-Hall*, before the Earl of *Nottingham*, the Earl of *Suffolk*, the Earl of *Worcester*, the Earl of *Devonshire*, the Earl of *Northampton*, the Earl of *Salisbury*, the Lord Chief Justice of *England*, the Lord Chief Baron of the *Exchequer*, Sir *Peter Warburton* Knight, one of the Justices of the Court of *Common-Pleas*, Lords Commissioners for that purpose.

On the 27th. of *January* 1605. were arraigned upon one Indictment, *Robert Winter* Esq; *Thomas Winter* Gent. *Guy Fawks* Gent. *John Garnet* Esq; *Ambrose Rookwood* Esq; *Robert Keys* Gent. and *Thomas Bates*; upon another Indictment, *Sir Everard Digby*. At the Tryal of *Winter* and the rest, upon the first Indictment, \* *Sir Edward Coke*, than Attorney General, made a very long and learned Speech, wherein he first answered the Clamor that the *Papists* and their Adherents had then made, because they were not sooner tryed. Then he opened the Hainousness of the Crime in all the Aggravating Circumstances of it. He said, that as the *Powder-Treason* was of its self prodigious and unnatural, so was it in its Conception and Birth most monstrous, as arising out of the dead Ashes of former Treasons; and then takes notice of very many, if not all the Treasons before mentioned; I think in this Speech, and the Speech he made at *Garnet's* Tryal, all, I am sure the most, are taken in. He then considered the *Powder-Plot* it self, with regard to the Persons by whom the same was conspired: And they were *Clergy* and *Laity* of the *Roman* Communion. The *Laity*, Gentlemen of good Houses, of excellent Parts, however most perniciously seduced, abused, corrupted and Jesuited, of very competent Fortunes and Estates. It being then said, that there was never a Religious Man in the Action; saith he, in answer, I never yet knew a Treason without a *Romish* Priest, and names, as engaged in this, *Henry Garnet*, alias *Wally*, the Superior of the *Jesuits*, Legier here in *England*; *Father Creswel*, Legier Jesuit in *Spain*; *Father Baldwin*, Legier in *Flanders*, as *Parsons* at *Rome*, besides their Curfory Men, as *Gerrard*, *Oswald*, *Tesmond*, alias *Greenway*, *Hamond* and *Hall*; then he opened the Doctrines and Practices of the *Jesuits* and other Priests of the *Romish* Church, which he proves from *Simanca*, *Creswels*, *Philopater* and other Books. Then he considered the Persons against whom this Treason was



was conspired; the King, the Queen, the Royal Issue Male, the most honourable and prudent Councillors, and all the true hearted and worthy Nobles, all the Reverend and Learned Bishops, all the Grave Judges, and Sages of the Law, all the principal Knights, Citizens and Burgeesses of Parliament, the Flower of the whole Realm. Then he considered, that this was designed, notwithstanding the King had used so great Lenity toward the *Papists*, that by the space of a whole Year and four Months, he took no Penalties of them due upon the Statutes; and besides this, divers of the *Papists* were greatly preferred. Then he considered the House of Parliament, which they pretended they chose, because there the Penal Laws were made against them; which he answered, by briefly showing what Laws were made against them, and that their own Treasons were the true Grounds of making them. Then he considered the End of this Conspiracy, which was to bring a final and fatal Confusion upon the State, and this is to be effected by damnable Means, by mining, by thirty six Barrels of Powder, having Crows of Iron, Stone and Wood laid upon the Barrels, to have made the Breach the greater. Then he considered the Secrecie of the Contrivance and Carriage of this Treason, in three Respects; the first, that *Catesby* had Recommendation for a Regiment of Horse in the *Low-Countries*, that under that Pretence, he might furnish this Treason with Horse without Suspicion. The Second was, the Oath before mentioned. The Third, the Sacrament. He then took notice of the admirable Discovery of this Treason, and proceeded to make nine several Observations upon the whole, which were these: First, The Mine had never been discovered, had not the Cellar been hired. 2. The Kings Directing the Search to be made there, from those dark Words, *A Terrible Blow*. 3. *Catesby*, *Rookwood* and *Grants*, their narrow Escapes, having a few Days before they were taken, been in very great Danger of being blown up by Gun-powder. 4. Gun-powder was the Invention of a *Fryar*. 5. *Bimham* was sent to the Pope, to give notice of this Blow, and to crave his Direction and Aid. 6. Notwithstanding their rising in open Rebellion, and giving out, that the *Catholics* Throats would be cut, not one Man came in to take their Parts, but their own Company. 7. The Sheriff immediately suppress them. 8. The Discovery was made a few hours before it was to have been put in Execution. 9. That there never was any *Protestant Minister* in any Treason and Murther that had been then attempted within the Realm. Then he compared this Plot with that of *Raleigh* and *Watson* and *Clark*. 1. They had both one end. 2. Both to be effected by *Papists* and discontented Persons, *Priests* and *Laymen*. 3. They all played at Hazzard, the *Priests* were at the By, *Raleigh* at the Main, but these in at all, purposing to destroy King, Issue, whole State. 4. All obliged by the same Oath and Sacrament. 5. The same Proclamation (after the Fact) for Reformation of Abuses. 6. The like Army provided for Invading. 7. The same Pension of Crows promised. 8. The Agreeing of the Times, which was when the Constable of *Spain* was coming hither, which was intended a Colour to the Invasion, that it might not be suspected.

After Sir *Edward Coke* had ended his Speech, the Examinations of *Winter* and the rest, subscribed by themselves, were shown particularly to every one of them, and acknowledged by them to be their own, and true; and in their Examinations, every one had confessed the Treason, which Confessions were afterwards openly and distinctly read; by which it appeared, that *Bates* was resolved for what he undertook in this Powder-Treason, being therein warranted by the *Jesuits*. Also that *Hamond* the *Jesuite*, the 7th. of November, after the Discovery, confessed and absolved them. The Confessions of *Watson* and *Clark*, Seminary Priests, upon their Apprehension, was also taken notice of, who affirmed, that there was some Treason intended by the *Jesuits*, and then in hand.

The Evidence against the Traitors.

After the reading their several Examinations, Confessions, and voluntary Declarations, as well of themselves, as of some of their dead Confederates, they were all found guilty, and having nothing to say for themselves, were condemned and executed.

Their Conviction, Condemnation, and Execution.

Sir



K. Jan 1.

Sir Everad Digby having likewise confest the same, was found guilty, condemned, and executed for the same Treason.

Garnets Arraignement, Tryal and Confession. Proceedings printed in 1606. Foulis l. 10. c. 2. f. 514, 517.

Henry Garnet, Superior of the Jesuits in England, was arraigned and tryed for the same Treason, on Friday the 28th. of March 1606. at Guild Hall in London, before Sir Leonard Holiday Lord Mayor, the Earl of Nottingham, the Earl of Suffolk, the Earl of Worcester, the Earl of Northampton, the Earl of Salisbury, the Lord Chief Justice of England, the Lord Chief Baron of the Exchequer, Sir Christopher Yelverton Knight, one of his Majesties Justices of the Kings Bench, Lords Commissioners for that purpose. He was a grand Agitator in this Plot, and did himself at last confest thus much, That Catesby had told him of the Plot, but not by way of Confession; that Greenwel had told him of this, not as a Fault (for how could they do so, that approved it as meritorious) but as a thing that he had Intelligence of, and told it him by way of Consultation; that Catesby and Greenwel came together to him to be resolved; that Tesmond and he had Conference of the Particulars of the Powder-Treason in Essex; that Greenwel asked him who should be Protector? Garnet said, that was to be deferred till the Blow was past; that he ought to have revealed it to the King; that nothing deterred him from the Discovery so much, as his Unwillingness to betray Catesby; that he had greatly sinned against God, the King and the Kingdom, in not revealing it, of whom he heartily begged Pardon and Forgiveness.

Garnet Condemned and Executed. Foulis Hist. lib. 10. cap. 2. f. 514. Proceedings.

And for this Treason he was condemned, and after his Condemnation, he himself said, That the Sentence was justly passed on him. The third of May following, he was executed at the West End of St. Paul's Church-Yard, where he appeared in a troubled and amazed Condition, still prying and peeping about for a Pardon, although Henry Montague, Recorder of the City, pitying his Perplexedness, assured him there would be none granted. And thus died this Garnet, after he had confirmed the Matters contained in the Confessions of them that had been before executed, by this Confession of his own.

And that none that are willing to receive Truth, as it is, which ingenuous Men always are, may remain in doubt, take the true reason of his Confession from himself as Foulis relates it.

The reason of Garnets Confession. Foulis Hist. lib. 10. cap. 2. f. 515.

Anne Vaux.

The Jesuits being not a little offended, that he should any way confest himself guilty which with some might be a Blot, both to himself and their Order; Garnet, to vindicate himself to them, and to shew the Folly of denying any longer, thus writes to them — *What should I do? First of all, the rest of the Confederates have accused me. Secondly, Catesby always made use of my Authority amongst them, whereby most of them were persuaded to have a good Opinion of the Enterprize; so that all knew I was in it. Thirdly, two (set on purpose) heard me discourse the whole business with Oldcorn, and tell him how I thought to answer all Objections. Fourthly, My Letters writ with the Juice of Orange to Mrs. Anne, are (I know not how) fallen into their Hands, whereby I plainly enough discovered my Knowledge of it.* Whence I gather, that the Jesuits did sufficiently tamper with him to conceal his Guilt, and that he would have concealed it if he could; and all that have writ in Justification of him, are sufficiently answered by his own Confession; and the four Reasons above mentioned, that induced him thereunto, to which add his further Confession — *That he had often vowed, both by Words and Writings, to the Lay Conspirators, that he would never discover or betray any of them; and his acknowledging his Offence, wishing it were in his Power to undo that which was done, and that if the whole World were his, he would willingly give it to quit himself from the Guilt of Treason, which now troubled his Conscience.* Moreover, he himself owned in a Letter to Mrs Anne Vaux, That he was sorry he could not die for Religion, but for Treasons. These Instances are, certainly, sufficient to convince any unbiassed Reader; but to put the Matter out of doubt and (if it be possible) to convince even the Papists. Thomas himself, one of their own Communion, Privy-Councillor to the French King, and President of the Supream Senate of that Kingdom, was so fully convinced of the Truth of this Conspiracy, and that all the Conspirators before named were engaged in it, that he writ a most ingenious Narrative of the whole in Latin, which was in the year 1674. faithfully rendred into English, and printed; where the Papists that do not understand Latine, may, if they please, receive ample Satisfaction.



So detestable, it seems, this Conspiracy was to some of the *English Colledge at Rome*, that being informed of the Discovery of this Plot, sixteen of them (abhorring such juggling and bloody Designs) forsook the Colledge, flipt into *France*, and thence some of them came into *England* and turned Protestants. But nothing will convince some Papists, for notwithstanding all the Confessions aforesaid, and Convictions, and Executions upon those Confessions, there are not a few, who would perswade the World to believe, that all this was but a meare Cheat, a Trick of *Salisbury*, the then Secretary. And *Foulis* saith, he once heard a Story very gravely told, that one lurking under the Council-Table, concealed by the long Carpet, heard much of the Contrivance; a Tale so absurd and ridiculous, that after what hath been already said, to endeavour to confute it, would argue more impertinence then they were guilty of, who broached the Story.

This Conspiracy being discovered in so wonderful a manner, and the Deliverance attended with so many amazing Circumstances, the Parliament took the same into their Consideration, and in the first place, made a Law for keeping an Anniversary Day of Thanks-giving on the *Fifth of November*, and enacted the same Law should be read in the Churches publickly upon the same Day, and then made an Act for the Attainder of the Offenders. Which Acts of Parliament, because they yet strengthen and confirm the Truth of the said Conspiracy (and that they do so, must be confessed, unless Men will fly in the Face of that Parliament.) I have here inserted, as I find the same in *Rastal's Statutes*.

K. Ja. 1.

Translation of  
Thuanus, f. 1.

Foulis Hist. 1.  
10. cap. 2. f.  
510.

The First is Intituled, An Act for publick Thanks-giving to Almighty God every Year, on the Fifth Day of November.

As much as Almighty God hath in all Ages shewed his Power and Mercy; in the Miraculous and Gracious Deliverance of his Church, and in the Protection of Religious Kings and States, and that no Nation of the Earth hath been blessed with greater Benefits than this Kingdom now enjoyeth, having the true and free Profession of the Gospel, under our most gracious Sovereign Lord King James, the most Great, Learned and Religious King that ever reigned therein, enriched with a most hopeful and plentiful Progeny, proceeding out of his Royal Loyns, promising Continuance of this Happiness and Profession to all Posterity; and the which, many malignant and devilish Papists, Jesuits and Seminary Priests, much envying and fearing, conspired most horribly, when the Kings most excellent Majesty, the Queen, the Prince, and all the Lords Spiritual and Temporal, and Commons, should have been assembled in the upper House of Parliament, upon the fifth Day of November, in the Year of our Lord 1605. suddenly to have blown up the said whole House with Gun-powder, an Invention so inhuman, barbarous and cruel, as the like was never before heard of, and was (as some of the principal Conspirators thereof confess) purposely devised and concluded to be done in the said House; that where sundry necessary and religious Laws, for preservation of the Church and State, were made, which they falsely and slanderously term cruel Laws, enacted against them and their Religion, both Place and Persons should be all destroyed, and blown up at once, which would have turned to the utter Ruine of this whole Kingdom, had it not pleased Almighty God, by inspiring the Kings most excellent Majesty with a Divine Spirit, to interpret some dark Phrases of a Letter shewed to his Majesty, above and beyond all ordinary Construction, thereby miraculously discovering this hidden Treason, not many Hours before the appointed time for the Execution thereof; therefore the Kings most excellent Majesty, the Lords Spiritual and Temporal, and all his Majesties faithful and loving Subjects, do justly acknowledge this great and infinite Blessing to have proceeded merely from God, his great Mercy, and to his most Holy Name, do ascribe all the Honour, Glory and Praise. And to the end this unfeigned Thankfulness may never be forgotten, but be in a perpetual Remembrance, that all Ages to come may yield Praises to his Divine Majesty for the same, and have in Memory, This joyful Day of Deliverance.

3 Jac. 1. ca. 1.  
Rast. Stat. 2.  
Part. f. 588.  
The Act for  
keeping the  
Fifth of No-  
vember yearly,  
as a Day of  
Thanks-giving.

Be it therefore enacted, by the Kings most excellent Majesty, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, that all and singular Ministers, in every Cathedral and Parish Church, or other usual Place for Common-prayer, within this Realm of England, and the Dominions of the same, shall always, upon the fifth Day of November, say Morning-prayer, and give unto Almighty God Thanks for this most happy



K. Ja. I.

happy Deliberance; and that all and every Person and Persons, inhabiting within this Realm of England, and the Dominions of the same, shall always upon that Day, diligently and faithfully resort to the Parish Church or Chappel accustomed, or to some usual Church or Chappel, where the said Morning-prayer, Preaching, or other Service of God shall be used, and then and there to abide orderly and soberly during the time of the the said Prayers, Preaching, or other Service of God there to be used and ministered.

And because all and every Person may be put in mind of this Duty, and be the better prepared to the said Holy Service; be it enacted by Authority aforesaid, that every Minister shall give Warning to his Parishioners, publicly in the Church at Morning-prayer, the Sunday before every such fifth Day of November, for the due Observation of the said Day. And that after Morning-prayer or Preaching upon the said fifth Day of November, they read publicly, distinctly and plainly, this present Act.

The Second, is intituled, *An Act for the Attainder of divers Offenders, in the late most barbarous, monstrous, detestable and damnable Treasons.* The Preamble of which Act runs thus.

3 Jac. 1. ca. 2.  
Rast. Stat. 2.  
part. f. 589  
An Act for the  
Attainder of  
the Conspira-  
tors.

In most humble manner, beseeching your most excellent Majesty, your most Loyal, Faithful and true Hearted Subjects, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled; That whereas Arthur Creswel Jesuite, who at the time of his Profession to be a Jesuite, took upon him the Name of Joseph Creswel, Oswald Tesmond Jesuite, and Thomas VVinter, late of Huddington, in the County of VVorcester, Gent. the last Day of June, in the four and fortieth Year of the late Queen Elizabeth, of famous Memory, at Valedolide, within the Kingdom of Spain, and at divers other days within the same four and fortieth Year of the said late Queen, at Valedolide aforesaid, and elsewhere, within the same Kingdom of Spain, by the Means, Procurement and Privy of Robert Catesby, late of Ashby, in the County of Northampton Esq; Francis Tresham, late of Rushton, in the said County of Northampton Esq; and Henry Garnet Jesuite (assuming upon him to be Superior of the Jesuits, within this Realm of England) and others, being all natural born Subjects of this Realm; did Traiterously, and against the Duty of their Allegiance, move and incite Philip, then, and yet King of Spain, then being at open Enmity and Hostility with the said late Queen, with Force to invade this Kingdom of England, and to join with the Papists and discontented Persons within this Realm of England, to depose and overthrow the same late Queen, of and from her Crown, and of, and from all her Royal Estate, Title and Dignity, and to suppress and abolish the true Religion of Almighty God, truly and sincerely professed within this Kingdom, and to restore the Superstitious Romish Religion within the same, and to bring this Ancient, Famous and most renowned Kingdom to utter Ruine and miserable Captivity, under Foreign Power; and for that the greatest Impediment unto the same Invasion, would be the want of Help of good Horses, the said Thomas VVinter, the rather to encourage the said King thereunto, was to offer unto the same King, on the Behalf of the Papists of England, to give him Assistance presently, upon the Landing of his Forces, with one thousand five hundred, or two thousand Horses; and that for their better accomplishing thereof, he should move the said King to furnish the Papists of England with a good Sum of Money, partly to be employed to provide and furnish the Horses, and partly in Pensions, to be employed upon some such as were to be prepared for that Service; all which, the said Thomas VVinter did relate to the said King of Spain, who (the said Kingdoms of England and Spain, then standing in Hostility) took that Offer in very good part, saying, that he would respect and account of the Catholics of England (meaning the Papists) as of his own Castilians; and thereupon agreed, that he would make Invasion, and set foot in England about the Spring then next following, and would, by way of Exchange, send over unto the Papists of England, one hundred thousand Crowns, to be paid at two several Days agreed upon; all which particulars are extant, in the Confession of some of the chief Offenders; at which time sundry Papists of England did extraordinarily furnish themselves, by the traitorous and wicked Persuasions and Means of sundry Jesuits, both with Horse and Armour.

But before these things could be effected, Almighty God called the said late Queen to his mercy: Immediately after whose decease, that is to say, in the same Month of March, wherein she departed out of this World; Christopher Wright late of London Gentleman, was employed by the said Robert Catesby, Francis Tresham, Henry Garnet, and others into Spain, to Negotiate with the said King of Spain, by the means of the said Creswel, the Jesuite and others to proceed in that Invasion, which the said Thomas VVinter, had before Negotiated with him: And afterwards on the two and Twenty-  
eth



eth day of June, in the first Year of your Majesties Reign, over this Realm of England. Sir William Stanley *Kt.* Hugh Owen *Esq;* William Baldwin Jesuit and others, did by and with the Traiterous procurement and consent of the Offenders aforesaid, from and out of Flanders in the parts beyond the Seas, under the Government of the Arch-Duke: Traiterously employ and send Guy Fauks late of London Gentleman, unto the said King of Spain, to Negotiate with him on the behalf of the said Papists of England, for Invasion to be had against this Realm of England, to the same effect as was committed to the said Christopher Wright as is aforesaid: And the said Guy Fauks and Christopher Wright, though they had all the furtherance of the said Christel the Jesuit that he could give, yet finding no such entertainment with the said King, who (as by the sequel appeareth) grew into detestation with the said Propositions and Negotiations, as they expected or desired: But being wholly disappointed of all their hopes concerning that Matter, the said Robert Catesby, and divers other Persons within this Realm, did send over the said Thomas Winter into the said Country of Flanders, to procure the said Guy Fauks, a Natural Born Subject of this Realm, and yet a most Traiterous, desperate and cloudy minded Person, then serving as a Souldier in the Low-Countries, to come over into this Realm; and by and with the Traiterous conspiracy and consent of the said Henry Garnet, Oswald Tesmond, John Garrard and other Jesuits, and Thomas Percy late of London *Esq;* John Wright late of London *Gent.* the said Christopher Wright, Francis Tresham, Robert Winter late of Huddington aforesaid *Esq;* John Grant late of Norbrook in the County of Warwick *Esq;* Ambrose Rookwood late of Staningfeild in the County of Suffolk *Esq;* Everard Digby late of Gorehurst in the County of Buckingham *Kt.* Robert Keyes late of London Gentleman, and Thomas Bates late of London Peoman, to undertake the Execution of the most wicked Barbarous execrable and abominable Treason that ever could enter into the Heart of the most wicked Man, by blowing up with Gun-Powder the House of Parliament at such time as your most excellent Majesty, and your dearest Consort the Queen, and the most Noble Prince Henry, together with the Lords Spiritual and Temporal, the Judges of the Realm, and the Knights, Citizens and Burgeses of Parliament should be in said Parliament-House Assembled, (for which most Traiterous and Barbarous purpose there were secretly laid in a Vault or Cellar under the Parliament-House, Thirty six Barrels of Gun-Powder or thereabouts) to the utter overthrow and subversion of the whole State of this flourishing and renowned Kingdom. If God of his infinite Mercy had not most Miraculously by your Majesties blessed direction Discovered the same, in finding out the said Barrels of Gun-Powder in the said Vault or Cellar, but few hours before the time appointed for the Execution thereof: All which most Heinous, Horrid and Damnable Treasons, are most manifest and apparent by the voluntary confession and acknowledgments of the Offenders themselves: Of which most Barbarous, Bloody and detestable Treason, for Conspiring and preparing to blow up the Parliament-House with Gun-Powder, The said Robert Winter, Thomas Winter, Guy Fauks, Robert Keyes, Ambrose Rookwood, John Graunt and Thomas Bates have been lately indicted, and during this present Sessions of Parliament Arraigned, convicted by Verdict and thereupon attainted. And the said Sir Everard Digby *Kt.* hath likewise been indicted, and during this present Sessions of Parliament Convicted and Attainted by his own confession of Record upon his Arraignment according to the Laws of this your Majesties Realm; as by the Records of their several Indictments and Attainders it doth and may more plainly appear and for the which Offences the said Sir Everard Digby, Robert Winter, Thomas Winter, Guy Fauks, Ambrose Rookwood, John Graunt, Robert Keyes and Thomas Bates, have suffered pains of Death according to their demerits: And the said Robert Catesby, Thomas Percy, John Wright, and Christopher Wright, were Slain in open Rebellion by them and others the said most wicked Traytors moved and stirred within divers Parts and Counties of this Realm, shortly after the Discovery of their most detestable and Damnable Treason, in Conspiring and preparing to blow up the said Parliament-House as aforesaid, and the said Hugh Owen both (of purpose and for fear of condign punishment according to his demerit,) reside and keep himself beyond the Seas, by means whereof he cannot in respect of such his voluntary absence be Arraigned and publicly by due Tryal of Law upon apparent Testimony and proof against him, be proceeded with for such his heinous and abominable Treasons, and the said Francis Tresham being one of the said most detestable Traytors, and being apprehended and imprisoned in the Tower of London, having by sundry his Examinations confessed himself a principal Traytor, in all the said most abominable Treasons, Dyed in the Tower during the time of his said imprisonment and before he could be Indicted of the said Treasons.

They therefore desired that the King, of his blessed care and disposition, to and for the continuance of Gods true Religion and Service, and for that preservation and safety of his Person, the Queen, the Prince, and the rest of the Royal Progeny, and for the intire Love and Affection, that his Majesty had always thence fore born, and did then bear to the Common-wealth and safety of this Realm of England (to the end that all others might then after fear to enter into any cogitation to attempt the like Barbarous and detestable Treasons



K. Ja. 1.

Treasons, that the Convictions and Attainder of the said Robert Winter, Thomas Winter, Guy Fauke, Ambrose Rookwood, John Graunt, Robert Keyes, Thomas Bates and Sir Everard Digby might be confirmed; which was confirmed by Authority of Parliament accordingly, and then it was Enacted, that as well the said Robert Winter, Thomas Winter, Guy Fauke, Ambrose Rookwood, John Graunt, Robert Keyes, Thomas Bates and Sir Everard Digby, as also the said Robert Catesby, Thomas Piercy, John Wright, Hugh Owen, and Francis Tresham should be attainted of High Treason and forfeit as in Cases of High Treason according to their severall and respective Convictions and Attainders.

When the Parliament had thus first acknowledged Gods goodness in this deliverance, and made the said Act of Attainder. The consideration of the Treachery and Villany of this Gun-Powder-Plot, undertaken under the pretence of maintaining and restoring Popery, engaged the State to consult the preservation of the Government and the Protestant Religion, and considering the furious Zeal and wicked Principles of the Papists in affirming the lawfulness of deposing and killing all Heretical Kings; and such they esteem all Protestant Kings to be, that the Pope had Power to deprive Temporal Princes, absolve Subjects from their Obedience; and such-like Villanous Positions, with the many wicked Practices against the Crown and Life of Queen Elizabeth and King James.

Upon these and such-like considerations, after several serious deliberations, and consultations in Parliament to prevent the like mischiefs; they thought fit to draw up a solemn Oath, whereby every one should Abjure such Treasonable Doctrines and Swear for the future to behave themselves as became good Subjects, which Oath was this.

## The Oath of Allegiance.

Anno Tertio  
Jacobi primi,  
Foulis Hist.  
l. 10. c. 2. f.  
522.

**I** A. B. Do truly and sincerely acknowledge, profess, Testifie and Declare in my Conscience before God and the World, that our Sovereign Lord King — is Lawful and is Rightful King of this Realm, and of all other his Majesties Dominions and Countries.

And that the Pope; neither of himself, nor by any Authority of the Church or See of Rome, or by any other means, with any other, hath any Power or Authority to depose the King.

Or to dispose any of his Majesties Kingdoms or Dominions.

Or to Authorize any Forreign Prince to Invade or annoy him or his Countries.

Or to discharge any of his Subjects, of their Allegiance and Obedience to His Majesty.

Or to give License or leave to any of them to bear Arms, raise troubles, &c.

Or to offer any Violence or Hurt to his Majesties Royal Person, or Government; or to any of his Majesties Subjects within his Majesties Dominions.

As also I do swear from my Heart, that notwithstanding any Declaration or Sentence of Excommunication or Deprivation made or granted, or to be made or granted by the Pope or his Successors, or by any Authority derived, or pretended to be derived from him or his See, against the said King, his Heirs or Successors; or any Absolution of the said Subjects from their Obedience: I will bare Faith and true Allegiance unto his Majesty, his Heirs and Successors.

And him and them will defend to the utmost of my Power against all Conspiracies and attempts whatsoever, which shall be made against his or their Persons, their Crown and Dignity, by Reason or Colour of any such Sentence or Declaration, or otherwise.

And will do my best endeavour to disclose and make known unto His Majesty, his Heirs and Successors, all Treasons and Traiterous Conspiracies which I shall know, or hear of, to be against him or any of them.

And I do further Swear, that I do from my Heart Abhor, Detest and Abjure, as Impious and Heretical this damnable Doctrine and Position that Princes which be Excommunicated or deprived by the Pope, may be Deposed or Murdered by their Subjects, or any other whatsoever.

And I do believe, and in Conscience am resolved, that neither the Pope or any Person whatsoever hath Power to Absolve me of this Oath or any part thereof,

Which I acknowledge by good and full Authority to be Lawfully Ministred unto me.

And do Renounce all Pardons and Dispensations to the Contrary.

And



by the Protestants against the Papists.

858

And all these things I do plainly and sincerely acknowledge and Swear according to the express Words by me spoken, and according to the plain and common sense and understanding of the same words; without any Equivocation or Mental Evasion, or Secret Reservation whatsoever.

And I do make this Recognition and acknowledgment heartily, willingly, and truly, upon the true Faith of a Christian,

K. Ja. I.

So help me God.

A. B.

Unto which Oath so taken, the said Person shall subscribe His, or Her Name, or Mark.

The Papists lookt upon the (a) Earl of Salisbury (principal Secretary of State) to be the chief promoter of the Oath of Allegiance; and therefore used all their endeavours to deter him from Prosecuting it, thinking that if they could take him off, these Parliamentary transactions would fall to the ground, they therefore sent the following Letter to him, viz.

(a) Cecil.

My Lord,

Whereas the late unapproveable and most wicked design, for destroying of his Majesty, the Prince and Nobility, with many other of worth and quality (attempted through the undertaking Spirits of some more fiery and turbulent, then Zealous and dispassionate Catholics) hath made the general State of our Catholic Cause, so scandalous in the Eye of such, whose corrupted Judgments are not able to fan away and sever the fault of the Professor, from the profession its self as that who now is found to be of that Religion, is persuaded at least in mind, to allow (tho God knoweth as much abhorring as any Puritan whatsoever) the said former most inhumane and Barbarous project.

The Papists threatening Letter to the Earl of Salisbury, Roulis Hist. 1. 10.c.3. f. 521.

And, whereas some of His Majesties Council (but especially your Lordship, as being known to be, as the Philosopher termeth it, a Primus Motor in such uncharitable proceedings) are determined (as it is feared) by taking advantage of so foul a scandal, to root out all the Memory of Catholic Religion, either by suddain Banishment, Massacre, Imprisonment, or some such unsupportable vexations and pressures; and perhaps by decreeing in this next Parliament, some more cruel and horrible Laws against Catholics, then already are made.

In regard of the premises, there are some good Men, who through their earnest desire for the continuing the Catholic Religion, and for saving many Souls both of this present, and of all future posterity, are resolved to prevent so great a mischief, tho with a full assurance aforehand of the loss of their dearest Lives.

Good men and Roman Catholics,

You are therefore hereby to be admonished, that at this present there are Five who have severally undertaken your Death, and have vowed the performance thereof, by taking already the Blessed Sacrament, if you continue your daily Plotting of so Tragical Stratagems against Recusants.

May Murderer Privy Counsellors.

It is ordered, that none of these Five knoweth who the other Four be; for the better preventing the discovery of the rest, if so any one by attempting, and not performing, should be apprehended.

It is also already agreed who shall first attempt it by shot, and so, who in order shall follow.

In accomplishing of it there is expected no other than assurance of Death; yet it will willingly be embraced, for the preventing of those general Calamities, which by this your transcendent Authority and Grace with His Majesty, are threatened unto us.

And indeed the difficulties herein are more easily to be digested, since Two of the intended attempters, are in that weak estate of Body, that they cannot live above three or four Months.

The other Three are so distressed in themselves and their Friends, as that their present griefs (for being only Recusants) do much dull all apprehensions of Death.



K. J. I.

Nor are they  
to be blamed  
for it.

'None is to be blamed (in the true censuring of Matters) for the undertaking hereof; for we protest before God, we have no other means left us in the World, since it is manifest that you serve but as a Match to give Fire unto his Majesty (to whom the worst that we wish, is, that he may be as great a Saint in Heaven, as he is King on Earth) for intending all mischiefs against the poor distressed Catholics.

For 'tis true  
and Spiritual  
Resolution.

'Thus giving your Lordship this charitable admonition, the which may perhaps be necessary hereafter for some others your inferiours, (at least in grace and favour) if so they run on in their former inhumane and unchristian rage against us, I cease; putting you in mind, that where once True and Spiritual Resolution is, there (notwithstanding all dangers whatsoever) the weak may take sufficient revenge of the great,

Your Lordships well admonishing

Friends, &amp;c.

A. B. C. &amp;c.

'It may be your Lordship will take this but as some forged Letter of some Puritans, thereby to incense you more against Recusants.

'But we protest upon our Salvation it is not so: Neither can any thing in humane likelihood prevent the effecting thereof, but the change of your Course towards Recusants.

This Letter at the beginning affords fair, seeming to detest the Gun-Powder-Plot, (as Watson did the Popish Treasons in Queen Elizabeths time, and was hanged for Treason in the beginning of the Reign of King James) but little credit is to be given to what they say, if it be considered, that the very design of it is to apologize for Murder; and that they therein assert, that although they Murder Privy Counsellors; yet the Murderers may be good men, nor are they to be blamed for it, for it is a true and spiritual resolution. What influence this Letter had the sequel will evince, for the said Oath was immediately confirmed by Act of Parliament, and the Papists enjoined to take it, in the Circumstances, and upon the Penalties in the Act for that purpose mentioned: the sum and substance of which Act followeth; it is Intituled, *An Act for the better discovering and repressing of Popish Recusants.* The Preamble of the Act runs thus.

3. Jac. I. c. 4.  
Rast. Stat. f.  
591. Papists  
must receive the  
Sacrament and  
take the Oath of  
Allegiance, &c.  
upon pecuniary  
mults if neg-  
lected.

As much as it is found by daily Experience, that many His Majesties Subjects, that adhere in their hearts to the Popish Religion, by the infection drawn from thence, and by the wicked and diabolish Council of Jesuits, Seminaries, and other like Persons, dangerous to the Church and State, are so far perverted in the point of their Loyalty and due Allegiance to the Kings Majesty, and the Crown of England, as they are ready to entertain and execute any unreasonable Conspiracies and Practices, as evidently appears by that more then barbarous and horrible Attempt to have blown up with Gun-powder, the King, Queen, Prince, Lords and Commons in the House of Parliament Assembled, tending to the utter Subversion of the whole State, lately undertaken by the instigation of Jesuits and Seminaries, and in Advancement of their Religion, by their Schollars Taught and Instructed by them to that purpose, which Attempt by the only goodness of Almighty God, was discovered and defeated: And where divers Persons Popishly affected, do nevertheless, the better to cover and hide their false Hearts, and with the more safety to attend the opportunity to execute their mischievous Designs, repair sometimes to Church to escape the Penalty of the Laws in that behalf provided.

Then, for the better discovery of such Persons and their Evil affections to the Kings Majesty and to the State of the Realm, to the end that being known their Evil Purposes might be the better prevented. It was enacted, that every Papist that Communiceth shall yearly receive the Sacrament, upon twenty pounds Forfeiture upon the first Years neglect, forty pounds the second, sixty pounds the third, and so



forwards, fifty pounds yearly, until he or she shall have received it. That Papists, their Children of Pine Years, and Servants, shall be once a Year presented at the general or Quarter Sessions; Which presentments are to be recorded at the Sessions. That the Justices of Assize and Goal Delivery, and Justices of Peace shall hear and determine the Offence. That Proclamation shall be made at the Assizes or Sessions, for the Offender to render his body to the Sheriff, Bayliff or Keeper of the Goal of the Liberty before the next Assizes or Sessions, &c. And if the Offender doth not, he stands Convicted; and forfeits twenty pounds a Month for every Month contained in the Indictment wherein he is Convicted. That every Conviction shall be certified into the Exchequer, that the King may refuse twenty pounds a Month and take two parts of the Papists Lands, save their Mansion House. That the Kings two parts shall not be leased to Papists. That the Oath of Allegiance, shall be tendered to all Persons of the Age of Eighteen Years or above Convicted or Indicted for Recusancy, for not going to Church, for not receiving the Sacrament, or that pass through any Country, Shire or Liberty, and unknown.

Noblemen and  
Noblewomen are  
excepted.

Who refuse taking this Oath incur a Premunire except Women covert, who are to be Committed to the Common Goal, without Bail or Mainprize, till they take the Oath. No Indictment or other Proceedings against the Papists shall be discharged or reversed for default of Form, but Conformity discharges all Proceedings whatever. Felony in any that go beyond Seas to serve any Foreign Prince, &c. or being there shall voluntarily serve such Prince, not first having taken the Oath. Felony in any Gentleman, or Person of higher Degree, or any that is or hath been Officer in Camp, Army or Company of Soldiers, to go beyond the Seas voluntarily to serve a Foreign Prince, or shall voluntarily serve any Prince unless he first enters into Bond to the King (not to the use of the King) Conditioned, not to be reconciled to Rome, nor to enter into any Plot, against the King or Government. But after knowledge thereof to Reveal the same, the Bond to be taken and the Oath Administred by the Customers and Controulers of every Port, Haven or Creek or one of them; Which Bond and Oath are to be certified into the Exchequer once a Year upon Penalty of five pounds for every Bond and twenty pounds for every Oath not certified. All Persons reconciling and reconciled to the See of Rome are Traytors. Every Person that Maintains, Retains, Relieves, Keeps or Harbours in his, or their House, any Servant, Sojourner or Stranger that absents from Church for a Month, forfeits ten pounds, the same Forfeiture for Retaining or Keeping in his, her, or their Service, Fee, or Livery, any such Person or Persons. Father, Mother, Wards, and Persons Committed by Authority are excepted. Sheriffs and other Officers may break open Doors to Apprehend Papists Excommunicate. No Forfeiture for the Wives Offence. The Lords of the Privy Council, or any six of them, whereof the Lord Chancellor, Lord Treasurer or the principal Secretary, to be one, are impowred to Administer the said Oaths before mentioned to any Noble Man or Noble Woman above the Age of Eighteen Years; refusing to take them, they incur a Premunire. In the Cinque Ports the Lord Warden of the Cinque Ports are to take the said Bond and Oaths.

Treason in Re-  
conciler and  
Reconciled to  
the Church of  
Rome.

What cause there was for the compiling this Oath, and imposing it upon the Papists, King James himself tells us in his Apology for the Oath of Allegiance, take it in his own words.

But now having sacrificed (if I may say so) to the Manes of my late Predecessor Queen Elizabeth (whose Government and Moderation he vindicates,) I may next with St. Paul justly clare his favourableness towards the Papists, and their ingratitude to him. This King de-  
vocate my own fame from those innumerable calumnies spread against me, in testifying the vourableness  
truth of my behaviour towards the Papists: wherein I may truly affirm that whatsoever was her towards the  
just and merciful Government over the Papists in her time, my Government over them since, hath so Papists, and  
far exceeded hers, in mercy and clemency, as not only the Papists themselves grew to that height of tude to him.  
pride, in confidence of my mildness, as they did directly expect, and assuredly promise to themselves Apol. p. 18,  
Liberty of Conscience, and equality with other of my Subjects, in all things, but even a 19, 20.  
number of the best and faithfulest of my said Subjects, were cast in great fear and amazement  
of my Course and Proceedings, ever Prognosticating, and justly suspecting, that some Fruit to  
come of it, which shewed it self clearly in the Powder-Treason.

How many did I honour with Knighthood, of known and open Recusants? how indifferently did I give audience and access to both sides, bestowing equally all Favours and Honours on both Professions? How free and continual access had all ranks and degrees of Papists in my Court and Company? and above all how frankly and freely did I free Recusants of their ordinary payments?

Besides



K. Ja. I.

Besides, it is evident what strait order was given out of my mouth to the Judge; to spare Execution of all Priests (notwithstanding their Conviction) joining thereunto a Gracious Proclamation, whereby all Priests that were at Liberty, and not taken, might go out of the Country by such a day, my general Pardon having been extended to all Priests in Prison, whereupon they were set at Liberty, as good Subjects, and all convicted Priests that were taken after, sent over, and set at Liberty there. But Time and Paper will fail me to make enumeration of the benefits and favours that I bestowed, in general, and particular, upon Papists, in recounting whereof, every scrape of my Pen would serve but for a blot of the Popes ingratitude and injustice, in meeting me with so hard a measure for the same.

Yet notwithstanding all this Mildness and Clemency exercised towards them by the King, he himself in his Monitory Preface to all Christian Monarchs, tells us, That,

Monitory Preface p. 6, 7, 8, 9.

\* The same Parsons that I have before taken notice of, and who had the good luck all this while to scape the Gallows.

The never-enough wondred at, and abhorred Powder-Treason (though the Repetition thereof grieveth, I know, the gentle hearted Jesuite \* Parsons) This Treason, I say, being not only intended against me and my posterity, but even against the whole House of Parliament, plotted only by Papists, and they only led thereto by a preposterous zeal for the advancement of their Religion; some of them continuing so obstinate, that even at their death they would not acknowledge their fault; but in their last words immediately before the expiring of their breath, refused to condemn themselves, and crave pardon for their deed, except the Romish Church should first condemn it.

And soon after, it being discovered, that a great number of my Popish Subjects of all Ranks and Sexes both Men and Women, as well within as without the Country, had a confused Notion, and an obscure knowledge, that some great thing was to be done in that Parliament for the weal of the Church, altho for secrecys cause they were not acquainted with the particulars, certain Forms of Prayer having likewise been set down and used for the good success of the great Errand.

Adding hereunto that divers times, and from divers Priests, the Arch Traytors themselves received the Sacrament for confirmation of their heart and observation of Secresie.

Some of the principal Jesuites likewise, being found Guilty of the foreknowledge of the Treason it self, of which number some fled from their Tryal, others were apprehended (as holy Garnet himself and Oldcorn were) and justly Executed upon their own plain Confession of Guilt.

If this Treason now clad with these circumstances, did not minister a just occasion to that Parliament House, whom they thought to have destroyed, courageously and zealously at their next sitting down, to use all means of Tryal, whether any more of that mind, were yet left in the Country; I leave it to you (i.e. the Emperors, Kings and Princes) to judge, whom God hath appointed his highest Deputy Judges upon Earth; And amongst other things for this purpose, this Oath of Allegiance, so unjustly impugned, was then devised and enacted.

And in case any sharper Laws were then made against the Papists that were not obedient to the former Laws of the Country, if ye will consider the time, place and persons, it will be thought no wonder, seeing that occasion did so justly exasperate them to make severer Laws then otherwise they would have done.

The Time I say, being the very next sitting of the Parliament, after the Discovery of that abominable Treason.

The Place being the same where they should all have been blown up, and so bringing it freshly into their Memory again.

The Persons being those very Parliament Men whom they thought to have destroyed.

And yet so far hath both my Heart and Government been from any bitterness, as almost never one of those sharp additions to the former Laws, have ever yet been put in Execution.

And that ye may yet know further for the more convincing these Libellers of wilful Malice, who impudently affirm, that this Oath of Allegiance was devised for deceiving and intrapping of Papists in point of Conscience.

The truth is, that the Lower-House of Parliament at the first framing of this Oath, made it contain, that the Pope had no Power to Excommunicate me, which I caused them to reform, only making it to conclude, That no Excommunication of the Popes can warrant any Subjects to practice against my Person or State; denying the deposition of Kings to be in the Popes lawful Power. As indeed I take any such Temporal violence to be far without the Limits of such a spiritual Censure as Excommunication is.



So careful was I that nothing should be contained in this Oath, except the profession of Natural Allegiance, and Civil and Temporal obedience, with a Promise to resist all contrary un-  
civil violence.

K. Ja. I.

This Oath now grounded upon so great and just occasion, set forth in so reasonable Terms, and ordained only for making a true distinction between Papists of quiet disposition, and in all other things good Subjects, and other Papists, such as in their hearts, maintained the like violent bloody Maxims that the Powder Traytor, did.

\* So that it is evident King James thought, the said Plots, Treasons, Conspiracies and other unbecoming and undutiful words and practices was ground sufficient to make the said Law.

legiance was to make a distinction between Papists, of unquiet and turbulent, and of quiet and peaceable Minds, and had not, in its original, any influence upon the Protestants, nor did at the time of making, concern them, and that after Protestants were enjoined to take it, the same was intended to no other purpose then to difference them from Papists, and therefore the taking the new Oaths to their present Majesties, cannot but be well consistent with the former Oath of Allegiance, especially if it be considered that the late King is himself a Papist.

\* And here I can't but take notice, that the very design of the Oath of Al-

And doubtless, The Powder-Treason justifies the State in making another Act of Parliament the same Session, Intituled, *An Act to prevent and avoid danger which may grow by Popish Recusants.* The preamble of which Act making it further to appear, that the Powder-Treason was the occasion of making this Law, I shall here insert the Preamble verbatim, and then the substance of the Act.

Whereas divers Jesuits, Seminaries and Popish Priests dayly do withdraw many of his Majesties Subjects from their true Service of Almighty God and the Religion established within this Realm to the Romish Religion, and from their Loy-  
al obedience to his Majesty, and have of late secretly perswaded divers Recusants and Papists, and encouraged and emboldened them to commit most damnable Treasons; tending to the overthrow of Gods true Religion, the destruction of his Majesty and his Royal Issue; and the overthrow of the whole State and Commonwealth, if God of his Goodness and Mercy had not within few hours before the intended time of the Execution thereof, revealed and disclosed the same: wherefore to discover and prevent such secret and damnable Conspiracies and Treasons, as hereafter may be put in use by such evil disposed Persons, if remedy be not therefore provided.

3 Jac. I. ca. 5.  
Rast Stat. f.  
597.  
Papists banished  
the Court  
and the City of  
London upon  
a pecuniary  
Mulct.

Then the Law provides, That the discoverer of Jesuites or Priests, or harbourers of them, shall have the third Part of all that is recovered against them, so as the same exceeds not One hundred and Fifty Pounds, and Fifty Pounds only where it exceeds the sum of One hundred and Fifty Pounds. No Papist shall come to Court upon the Penalty of a Hundred Pounds for every default. Papists not to come into London nor ten Miles compass of the same, upon forfeiture of One hundred Pounds. Papists confined to their Houses or Places of abode and not to remove above five Miles from thence, and no License to be given to enable them to the contrary, but such as are prescribed by this Act; His Majesty, Three of the Privy-Council, Four Justices of the Peace, with the Privy may License and assent of the Bishop, Lieutenant, or Deputy Lieutenant under Hand and Seal; the cause of removing must be inserted in the Warrant, and Oath made of the truth of it. All Papists convicted, are disabled from practising, as a Counsel, Clerk, Attorney or Solicitor, Advocate, or Doctor, as Physician using the Trade of an Apothecary, from being Judge, Minister, Clerk, or Steward of or in any Court, or keeping any Court, or being Town Clerk or other Minister or Officer in any Court, from bearing any Office or Charge, as Captain, Lieutenant, Corporal, Serjeant, Ancient, Reaver, or other Officer in Camp, Troop, Band, or Company of Soldiers, from being Captain, Master, Governour, or bearing any Office or Charge, of or in any Ship, Castle or Fortrells; and forfeits one hundred pounds for every Offence besides the disability. No Popish Recusant Convict, nor any having a Wife being a Popish Recusant Convict, shall exercise any public Office or Charge, in the Commonwealth, but are utterly disabled. Feme Covert Convict loses two parts of her Jointure and Dowry, is disabled from being Executrix or Administratrix to her Husband, and to have any Part of his Goods or Chattels: A Popish Recusant Convict is disabled as an Excommunicate Person; But notwithstanding it he may sue for or concerning only such of his or her Lands, &c. or the issues thereof, which are not to be seized or taken into the Kings Hands, his Heirs or Successors, by force of any Law, for or concerning his, or her Recusancy or any part thereof. Every Man that

Not to Travel  
without Li-  
cence, how Li-  
cence to be ob-  
tain'd.

Papists dis-  
abled from  
Practising as  
Lawyers Com-  
mon or Civil,  
&c.

A Man having  
a Wife a Pa-  
pist Convict  
is disabled  
from exercising  
any public  
Office or  
Charge.

Feme Covert  
Convict loses  
part of her  
Jointure, &c.



K. Ja. I.

Papists must  
Marry accord-  
ing to the usage  
of the Church  
of England.  
Papists must  
Bapt. according  
to the usage of  
the Church of  
England.  
Their Children  
must not be sent  
beyond Seas.  
Papists shall  
not present to  
Living.  
Popish Books  
inhibited.  
Papists to be  
disarmed.

is a Papist covet, Partying contrary to the Orders of the Church of England, is disabled from being Tenant by the contract if any Lands, &c. of his Wives; and if he hath no Lands forfeits a hundred Pounds, a Woman Papist convicted so marrying is disabled to Claim Dower, Joynture, and Widows Estate, and Francklin in customary Lands. Papists must baptize their Children, according to the Rites of the Church of England upon a hundred Pounds penalty, twenty Pounds forfeiture for not burying according to the Rites of the Church of England. Children sent beyond Seas without License are disinherited and disabled to take any Lands or Personalty, by Gift, Conveyance, Descent, Devise or otherwise, till they take the Oath of Allegiance; a hundred Pound penalty for sending them: Soldiers, Parriners, Merchants, their Apprentices or Factors excepted. Popish Recusants convicted are disabled to dispose of any of their Ecclesiastical Livings, but the Chancellor and Scholars of Oxford and Cambridge have the right of Presentation, Nomination, &c. but none to be presented, who hath a Benefice with cure of Souls. Papists are disabled from being Executors, Administrators, Guardians. No Person to bring from beyond Sea, Print, Sell, or Buy any Popish Primers, Ladies Psalters, &c. upon the Penalty of Forty Shillings for every such Book, two Justices of Peace within their Jurisdiction, Bishops and chief Officers of Cities and Towns may search for popish Books, and what are found they may burn, Papists Armes shall be seized, other then what is Judged by the Justices, absolutely necessary for the defence of their Houses: If they refuse to permit a Search to delibe Armes, or Munition when tis found, they forfeit the Armes and Munition, and are to suffer three Months imprisonment, without Bayl or Paine-pize, they must maintain their Armes, notwithstanding it be taken away; Ecclesiastical Censures are saved.

Vid. Roger  
Widdringtons  
Theological  
Disputation,  
Epist. Dedicat.  
to Pope Paul 5.  
S. 6.

No sooner was this Oath and these Acts of Parliament made and published, but the Romish Priests fall a Caballing, Consulting what they and their Friends ought to do, in this Case. Of these, George Blackwell was Chief, his Title ran thus George, Blackwell by the Grace of God, and the Ordinance of the See Apostolick, Arch-Priest of England. He and several other Priests agreed the Oath was Lawful, and might with a safe Conscience be taken by Papists: But this was opposed by certain Jesuites and some other Priests, which begot a great Feud and Contest amongst their own Party. The Pope and his Assistants were against taking the Oath, as if it were enough to overthrow their whole Religion, and out thunders the Pope a Breve, Right, or Wrong, expressly Commanding the English not to take the said Oath, upon any Account whatsoever; part of which Breve is Printed in Foulis in English and Latine; which take as it is there.

The Popes 11.  
Bull against ta-  
king the Oath  
of Allegiance.  
Foulis Hist.  
l. 10. cap. 3.  
p. 927.

*Dilecti filii, Salutem & Apostoli-  
cam Benedictionem.*

Dearly beloved Sons, Greeting  
and Apostolical Benediction.

*M*agno Animi dolore nos semper affe-  
runt tribulationes & calamitates, quas  
pro retinenda Catholica fide jugiter sustinistis.  
Sed cum intelligamus omnia hoc tempore magis  
exacerbari, afflictio nostra mirum in modum  
aucta est, &c.

THE Tribulations and Calamities which  
you have continually sustained for  
the keeping of the Catholick Faith, hath  
always afflicted us with great Grief of  
mind, but forasmuch as we understand that  
at this time all things are more grievous;  
our affliction hereby is wonderfully en-  
creased, &c.

*— Non potestis absque evidentissima gra-  
vissimaque divini honoris injuria, obligare vos  
juramento; quod similiter maximo cum cordis  
nostri dolore audivimus propositum vobis fuisse  
infra scripti Tenoris, viz. Ego  
A. B. &c.*

Here was in-  
serted the Oath  
is self.

— You cannot without most evident  
and grievous wronging of Gods honour,  
bind your selves by the Oath, which in  
like manner we have heard with very great  
Grief of heart, is admitted unto you of  
the Tenor following, viz. I A. B. &c.

*Quae cum ita sint, vobis ex verbis ipsis perspicu-  
um esse debet, quod hujusmodi juramentum, sal-*

Which things since they are thus, it  
must evidently appear to you, that such an  
Oath



by the Protestants against the Papists.

91

in fide Catholica, & salute animarum vestrarum peritari non potest, cum multa contineat, quae fidei & saluti aperte adversantur, propterea admonemus vos, ut ab hoc atque similibus juramentis prestandis omnino caveatis, quod quidem eo acius exigemus à vobis, quia experti vestrae fidei constantiam, quae tanquam aurum in fornace, perpetuae tribulationis igne probatum est. Procomperto habemus, vos alacri animo subituros esse quaecumque atrociora tormenta, ac mortem denique ipsam constanter appetituros, potius quam Dei Majestatem ulla in re tadaris, &c.

Oath cannot be taken without wrong to the Catholick Faith and the Salvation of your Souls, seeing it contains many things plainly contrary to Faith and Salvation, wherefore we admonish you, that you do utterly abstain from taking this and the like Oaths. Which thing we the more earnestly require of you, because we have experience of the Constancy of your Faith, which is tryed like Gold in the Fire of perpetual Tribulation; we do well know that you will chearfully undergo all kind of cruel Torments whatsoever, yea, and constantly endure Death it self, rather then you will in any thing offend the Majesty of God, &c.

K. Ja. I.

— Precipimus vobis, ut illarum Litterarum verba ad amussim servetis, & simpliciter prout sonant & jacent, accipitis & intelligatis, sublata omni facultate illa aliter interpretandi, &c.

We Command you that you do exactly observe the words of those Letters, and that you take and understand them simply as they Sound, and as they Lye, all Power to interpret otherwise, being taken away, &c.

Datum Romae apud Sanct. Marcum sub Annulo Piscatoris X. Kalend. Octob. 1606. Pontificatus nostri Anno Secundo.

Dated at Rome at St. Marks, under the Signet of the Fisher, the 22d. of Septemb. 1606. the 2d. Year of our Popedom.

This Breve was presently sent into England notwithstanding it was High Treason to bring it, but divers of the Papists having then taken the Oath, were unwilling to believe, that the Pope himself sent it, but that it was \* Surreptitiously procured without the Popes knowledge; whereupon the Pope, (to let them know, that tho' the Pope might die, yet the Bloody and barbarous Tenets and Doctrines of the Popedom were as lasting as the Popedom it self;) to satisfy those who doubted of the Reality of the former, he sent another into England, which follows as Foulis relates it.

\*Foulis: 127

Dilecti filii Salutem & Apostolicam Benedictionem.

Dearly Beloved Sons, Greeting and Apostolical Benediction.

Renunciatum est nobis, reperiri non nullos apud vos, qui, cum satis Declaraverimus per literas nostras Anno superiore X. Kalend. Octob. in forma Brevis datas, vos tuta Conscientia prestare non posse juramentum, quod, a vobis tunc exigebatur, & praeterea triste preceperimus, ne ullo modo illud prestaretis.

It is reported unto us, that there are found certain amongst you (who) when as we have sufficiently declared by our Letters, Dated the last year on the 22d. of September, in the form of a Breve, that ye cannot with safe Conscience take the Oath which was then required of you, and when as we have further straitly Comanded you, that by no means you should take it.

The Popes 2d. Bull against taking the Oath of Allegiance. Foulis l. 10. cap. 3. f. 128.

Nunc dicere audent, hujusmodi literas de prohibitione juramenti non ex amini nostri Sententia, nostraque propria voluntate scriptas fuisse; sed potius aliorum insusio atque industria: eaque de causa idem persuadere nituntur, mandata nostra dictis literis non esse attendenda.

Yet there are some (I say) among you, who dare now affirm, that such Letters concerning the forbidding of the Oath, were not written of our own accord, or of our own proper Will. But rather for the respect, and at the instigation of other Men; and for that cause the same Men go about to perswade you, that our Commands in the said Letter are not to be regarded.

Truly,



## An Historical Account of making the Penal Laws

92  
E. J. 1.

*Perturbavit sane nos hic Nuncius, eoque magis, quia experti obedientiam vestram (filiis nostri unice dilecti) qui, ut hinc Sanctæ sedis obediretis, opes, Facultates, dignitatem, libertatem, vitam denique ipsam, pie & genere nobile fecistis; nunquam suspicari essemus, potuisse eveniri apud vos in dubium fidem Literarum nostrarum Apostolicarum, ut hoc pretextu, vos ex mandatis nostris eximeretis.*

*Verum Agnoscimus versutiem atque Fraudem adversarii humane salutis, eisque potius, quam vestre voluntati, tribuimus hanc remissionem.*

*Ea propter iterum ad vos scribere decrevimus, ac denuo vobis significare, Literas nostras Apostolicas Anno preterito X. Kalend. Octob. datas de prohibitione juramentis, non solum motu proprio, & ex certa nostra scientia; verum etiam post longam & gravem deliberationem de omnibus que in illis continenter, adhibitam, fuisse scriptas, & ob id teneri vos, illas omnino observare, omni interpretatione secus suadente rejecta.*

*Hec autem est mera, pura, integraque voluntas nostra, qui de vestra salute solliciti, semper cogitamus ea, que magis vobis expediunt. Et ut Cogitationes & Consilia nostra illuminetis, a quo Christiano gregi Custodiendo nostra sunt proposita humiliter indefinenter oramus: quem etiam jugiter precamur, ut in vobis filiis nostris summopere dilectis, fidem, constantiam, mutuamque inter vos Charitatem, & pacem augeat. Quibus omnibus cum omni Charitatis affectu peramanter Benedicimus.*

*Datum Rome apud Sanct. Martium, sub Anno Prætoris X. Kalend. Septemb. 1607. Pontificatus nostri Anno tertio.*

Petrus Stroza.

Truly this News did trouble us, and that so much the more, because having had experience of your obedience (most dearly beloved Sons) who to the end you might obey this holy See, have Godlily and Valiantly contemned your Riches, Wealth, Honour, Liberty, yea and Life itself: We should never have suspected, that the truth of our Apostolical Letters could once be called in question amongst you, that by this Pretence you might exempt your selves from our Commandments.

But we do perceive herein the subtilty and craft of the Enemy of Mans Salvation, and we do attribute this your backwardness rather to him, then to your own Will.

And for this cause we have thought good to write the second time unto you, and to signifie unto you again, that our Apostolical Letters, dated the last year on the 22d. of September concerning the Prohibition of the Oath, were written not only upon our proper motion, and of our certain knowledge; but also after long and weighty Deliberation used concerning all those things, which are contained in them: And that for that cause you are bound fully to observe them, rejecting all interpretation perswading to the contrary.

And this is our meer, pure and perfect Will; who being always careful of your Salvation, do always mind those things which are most profitable unto you. And we do pray without ceasing, that he who hath appointed to our Lowliness the keeping of the flock of Christ, would enlighten our thoughts and counsels; whom we do also continually beseech, that he would increase in you (our most beloved Sons) Faith, Constancy, with mutual Charity, and Peace, one to another. All whom we most Lovingly bless with all Charitable affection.

Dated at Rome at St. Marks under the Signet of the Fisher the 23d. of Aug. 1607. the third year of our Popedom.

Peter Stroza.

After this some Letters passed, between Father Blackwell who was for taking the Oath, and Cardinal Bellarmine who writ against it, but Bellarmine could not convince Blackwell. The Pope therefore appointed Mr. George Birket to be Arch-Priest, and sent him a Breve to forbid the taking of the Oath, and to deprive all Priests of their Faculties, that should take it, part of which followeth as Foulis relates it,

And



*Tibi que injungimus & mandamus, ac specialem facultatem ad hoc tribuimus, ut Auctoritate nostra omnes & singulos Sacerdotes Anglos, qui quoddam juramentum (in quo multa continentur, quæ fidei atque salutis Animarum aperte adversantur) perstiterunt: vel ad loca, ad quæ Heretici ad eorum superstitiosa Ministeria peragenda convenire solent, consultò accesserunt, & docent, admonere cures, ut ab hujusmodi erroribus resipiscant & abstineant.*

And we enjoin and Command you, and for this we give you special faculty, that by our Authority you take Care to admonish all and every English Priest, who have taken a certain Oath ( wherein many things are contained, which are manifestly against Faith and the Salvation of Souls ) or do willingly repair to such places, where the Hereticks used to meet to celebrate their superstitious Services or Worship; or have taught and do teach that such things may Lawfully be done, that they may repent, and abstain such from Errors.

**R. Ja. L.**  
The 3d. Bull against taking the Oath of Allegiance.  
Foulis Hist. l. 10. cap. 3. f. 530.

*Quod si intra Tempus (extra judicij aliter tamen) arbitrio tuo illis præfigendum, hoc facere distulerint, seu aliquis illorum distulerit, illos seu illum facultatibus & Privilegiis omnibus ab Apostolica sede seu illius Auctoritate a quocunque alio illis vel cuivis illorum concessis, eadem Auctoritate prius ac prius esse declares, &c.*

And if w ithin the time (extra judicij aliter notwithstanding) by you, as you think fit to be appointed unto them, they or any one of them shall defer to obey this; That then you by the same Authority do, deprive or declare them or him to be deprived of all Faculties and Priviledges granted them or any of them from the See Apostolick, or by her Authority from any other whatsoever, &c.

Datum Romæ apud S. Petram, sub Annulo Prætor. Die 1. Feb. 1608. Pontificatus nostri Anno tertio.

Dated at Rome at St. Peters, &c. 1. Feb 1608.

Birket upon the Receipt of this Breve, draws up and sends abroad this admonishing Letter.

## To all the Reverend Secular Priests of ENGLAND.

Most Dearly beloved Brethren,

**W**Hereas I have always desired to live without molesting or offending others, it cannot be but a wonderful corrosive Sorrow and Grief unto me, that against mine own inclination, I am forced (as you have seen by the Breve it self) to prescribe a certain time for such as do find themselves to have been contrary to the Points, which are touched in the said Breve; concerning the Oath, and going to Church, that they may thereby return and conform themselves, to the Doctrine declared by his Holiness, both in this, and the other former Breves.

Birkets Letter to the Popish Clergy against taking the Oath and going to Church.  
Foulis Hist. l. 10. cap. 3. f. 530.

And therefore now by this Present, do give notice unto you all, that the time which I prefix and prescribe for that purpose, is the space of two Months, next ensuing after the knowledge of this Admonition. Within which time, such as shall forbear to take, or allow any more the Oath, or going to Church, I shall most willingly accept their doing therein.

Yet signifying unto you withal, that such as do not within the time prescribed give this Satisfaction, I must (tho much against my Will) for fulfilling his Holinesses Commandments deprive them, and denounce them to be deprived of all their Faculties and Priviledges granted by the See Apostolick, or by any other Authority thereof unto them, or to any of them, and so by this Present do denounce, hoping, that there is no Man, will be so wilful, or disobedient, to his Holinesses Order, but will conform himself as becometh an obedient Child of the Catholick



K. Ja. 1.

lick Church. And so most heartily wishing this Conformity in us all, and that we may Live and Labour together, Unanimities in Domo Domini, I pray God give us the Grace to effect that, in our Actions, whereunto we are by our Order and Profession obliged,

Your Servant in Christ

This 2d. of May, 1608.

George Birket.

Arch-Priest of England and

Protonotary Apostolical.

There was by reason of these Bulls-- great Writing against the Lawfulness of *Papists* taking the Oath. And it can't be, but all of them who writ against it, make this their Foundation; That it takes away the *Popes* power of depriving Kings, and absolving Subjects from their Allegiance: So that certainly, it was high time for the State to take care of the safety of their Religion, and their Prince, the Defender thereof. The Parliament therefore in the Seventh Year of King *James* the First, that they might know who were Friends to a Foreign power (and consequently Enemies to the established Government) made an Act of Parliament, Intituled,

*An Act for Administring the Oath of Allegiance, and Reformation of married Women, Recusants.* Which is the last Law I find made in this Kings Reign, relating to the *Papists* The Preamble runs thus,

7. Jac. 1. cap.  
6. Raft. Stat.  
2. part. f. 666.  
For taking the  
Oath of Allegi-  
by Protestants,  
as well as by  
Papists. And  
Feme Courts  
Papists to P-  
nalities.

**W**HEREAS by a Statute made in the third Year of your Majesties Reign, intituled, An Act for the better discovering and repressing of Popish Recusants, The form of an Oath to be ministred and given to certain Persons, in the same Act mentioned, is limited and prescribed, tending only to the Declaration of such Duty, as every true and well affected Subject, not only by Bond of Allegiance, but also by the Commandment of Almighty God, ought to bear to your Majesty, your Heirs and Successors, which Oath such as are infected with Popish Superstition, do oppugne with many false and unsound Arguments, the just defence whereof your Majesty hath heretofore undertaken, and worthily performed, to the great Contentment of all your Loving Subjects, notwithstanding the Gain-sayings of contentious Adversaries. And to shew how greatly your Loyal Subjects, do approve the said Oath, they prostrate themselves at your Majesties feet, beseeching your Majesty, that the same Oath may be Administred to all your Subjects: To which end we do with all humbleness beseech your Highness, that it may be Enacted.

And then, To shew how greatly they approved the said Oath, they desired it might be Administred to all the Subjects of England; and accordingly it was Enacted, That it should be taken by all Persons above the Age of eighteen Years. The penalty for the refusing upon tender is Imprisonment without Bail or Main-prize, and disability to execute any place of Judicature, to bear any other Office, to use or Practise the Common or Civil Law, Physick or Chirurgery, the Art of an Apothecary, or any Liberal Science for his or her gain.

By this Act, a married Woman that is a *Papist* convict, if she doth not within three Months after Conviction conform, shall be committed to Prison without Bail or Main-prize, unless her Husband will pay ten Pounds a Month for the Wives offence, or the third part of all his Lands, &c. for so long time as she remaining a *Papist* convict, shall continue out of Prison, during which time (and no longer) she may be at Liberty.

The Penal  
Laws in this  
Reign justified.

And certainly *Watson* and *Clarks* Plot, the Gun-Powder-Treason, and the restless endeavours of the *Pope* and the *Jesuits*, by his sending and their bringing over Bulls to alienate the Kings Subjects from their Allegiance, will highly justify the State in making these Laws against the *Papists*, that were made in this Kings Reign: And the more reasonable will they appear to be, if it be considered, that, we do not find, that he ever Executed one Person, Priest, Jesuit or other for Religion, but all Died for Treason,



Treason, even *Garnet* himself was sorry that he could not Dye for Religion, his guilt of Treason being so notorious. And therefore these Plots, Conspiracies, and Treasons, carry in the Face of them the greatest ingratitude imaginable.

The King in the Tenth Year of his Reign being affrighted with *Henry* the Fourth of France, his being Stabbed by *Ravilliac*, ventures upon a Proclamation, strictly commanding all Jesuits, and Priests out of the Kingdom, and all *Recusants* to their own Houses, not to come within ten Miles of the Court; and secures all the rest of his Subjects to him, by an universal taking of the Oath of Allegiance, which the Parliament both Lords and Commons (then sitting) began and the rest of the People followed.

K. Ja. I.  
King James  
his last Procla-  
mation against  
the Jesuits.  
Wilsons Hist.  
f. 51, 52.

(a) Soon after this Parliament was Dissolved and Prince *Henry* was created Prince of Wales, after which the Kings first Treaty for disposal of any of his Children was, by his Leiger Ambassador in Spain, with that King, for the Lady *Elizabeth*, (b) and after wards another Treaty was set on foot for Prince *Henry* with a Daughter of Spain. What Religion the Spaniard was of, is well known, and what effect the Crown of England Matching into Popish Families abroad hath had, is more to be lamented, then remembred, any other ways, then to avoid the like mischiefs for the future.

(a) Wilsons  
Hist. f. 25.  
(b) Wilsons  
Hist. f. 91.  
Rushw. Col. 1:  
part. f. 1.

In the 12th. Year of his Reign, there were a generation about the Court, that undertook for the calling such a Parliament as the King would have, these were Men that presumed, they had friends in every County and Borough, who (by their power among the People) could make Election of such Men for Knights and Burgeses, as should comply solely with the Kings desire; and *Somerset* was the head and chief of these undertakers, but these projects against the Fundamentals of the English Government proved an abortive; for the Parliament meeting, such Faces appeared there, as was no ways pleasing to the Court, who instead of contributing to the Kings wants, lay open his waists, especially upon the Scots, with whom they desire a share of Favour.

Camb. f. 77.  
A Parliament  
called and dis-  
solved, because  
they complained  
of grievances  
and particular-  
ly of the in-  
crease of Pa-  
pists.

The Bread (by our Saviour's Rule) properly belongs to the Children of the Kingdom, and they beseech his Majesty to stop the Current of future access of that Nation to make residence here, having enough to eat up their own Crumbs, they enquire into the Causes of the unexpected increase of Popish Recusants since the Gunpowder Plot, the detestation whereof (they thought) should have utterly extinguished them, and they attribute it to the admission of Popish Nobility into his Councils; the silencing of many watchful and diligent Ministers, the divers Treaties his Majesty had entertained, not only for the Marriage of Prince *Henry*, but for Prince *Charles* with the Daughters of Popish Princes, which disheartned the Protestant and encouraged the Papist; they laid open with these many other miscarriages in Government, the King desirous to conceal these Matters dissolves the Parliament and Committed to the Tower and other Prisons, such as were most active for the common good, and who can deny but that this must needs give encouragement to the Papists?

In the 15th. Year of his Reign he put out a Book to Tollerate Sports on the Lords Days; this Book came out with a Command, injoyning all Ministers to read it to their Parishoners, and to approve of it, and those that did not were brought before the High Commission, Imprisoned, and Suspended. This was a contrivance of the Papists and their adherents, to trap the most Conscientious Men of the Church of England (who were in all other matters exactly conformable) and to lay them aside; and good reason the Papists had for this, because no Nation will ever receive their innovations in Matters of Religion, where there is a Sound, Orthodox, Learned and Pious Clergy. (a) *Wilson* says, that some of the Ministers that were Suspended said, that they would Preach the Gospel in a Fools Coat rather then be silent for a Surplice; and the Conjuring of them with the Cross in Baptism and the Circle of the Ring in Marriage, could not make a well composed Reason, and a sound Conscience then start at it: But when so frightful an Aparition as the Dancing Book appeared, some of the Ministers left all for fear, others by force, they were so terrified by it.

A Book of  
Sports obtru-  
ded

Wilsons Hist.  
f. 105.

This I have set down in *Wilsons* own words, because it appears by this that the Men that were suspended, were proceeded against not for Puritanism, or Nonconformity to the discipline of the Church of England, but for non-complying with things obtruded on them, by right down Papists, or those (who whether they saw it or no I cannot tell) were carrying on the Popish designs.

The



K. Ja. I.

Rushw. Col.  
1. part. f. 11.

The King having all along had a design of Matching his Son (a) either to Spain or France, it is no wonder that the Priests and Jesuits swarm here; and much lets a wonder, that they endeavour to promote their own Religion, for if they will do it, when the Edge of Justice is sharpened against them, much more when he that should make use of the Sword, is so merciful, (that let them do what they will) he will not, or so fearful, he dares not, strike. As Prophaness by reason of the Book of Sports, crept in by their means, so did Idolotry and Superstition; for their was now more enmity against Ministers of the Gospel then Popish Priests, and no wonder; for let a Peoples Morals be once thoroughly debauched, and 'twill not be very difficult to make them outwardly of what Religion you will.

The Jesuits  
Jugling with  
the Boy of  
Bilston.  
Wilson's Hist.  
f. 107.

The Popish Priests and Jesuits, having now more liberty then they had had for above fifty Years, resolve to make much of their time, and because they cannot much boast of real holiness, pretended Miracles must recommend them to the People; for this purpose the Boy of Bilston was set up by them (as he himself afterwards confest,) to Act the part of one posselt with a Devil, and they were to come and disposes him, that so it might appear, how much Gods Power was exprest in their weakness, and to difference the truth and holiness betwixt the Catholic Religion, and the Heresie profess among Protestants; such Godly cheats are they always making use of, to deceive the Hearts of the simple. This Boy Bishop Morton discovered to be an imposture, and when he had made the discovery, and the Boy found he was detected, he confest the whole Matter to be thus.

That he was inticed to one Mr. Giffords House in Stafford-shire, where there were four Romish Priests, who gave him Mony and many fair words, promising him great matters if he would be conformable to their instructions. In three days time they had taught him to practice his tricks so well, that they ventured him home to his Fathers, to exercise them publicly. He came home in a very distracted manner to his Parents amazement, and in a short time the thing was noised, and a great deal of Company coming to see him, his Parents got Money by it, which was an encouragement to him to persist; so that when the Priests came to disposes him, he would not be disposselt; but went on, and (as they had instructed him) accused a poor Old Woman of Witchcraft, for which she was Tryed, and Condemned, and had been Executed, had it not been for Bishop Morton detecting this imposture; The whole story you may read at large in Wilson from f. 106. to 111.

Wilson's Hist.  
f. 130.

Henry Earl of Northumberland, who was Sentenced in the Star-Chamber Thirty Thousand Pounds, and Imprisoned in the Tower for harbouring in his House the aforementioned Thomas Piercy his Kinsman, who was one of the Plotters of the Gunpowder-Treason, was in the Seaventeenth Year of this Kings Reign, set at liberty.

The Spaniards  
gives the over-  
ture of the  
Match. Rushw.  
Col. part. 1. f.  
4.

The King having had thoughts of a Match for Prince Charles with France; and the Duke of Savoy having been before him, and prevailed for his Son the Prince of Piedmont: The Spaniard giving the overture of a Match, King James embraceth it, and Articles of Religion between the King of England and Spain were agreed on, which were these, &c.

Articles of  
Religion agreed  
upon between  
the Kings of  
England and  
Spain.

- That the Popes Dispensation be first obtained by meer Act of the King of Spain.
- That the Children of this Marriage be not constrained in Matters of Religion, nor their Title prejudiced in case they prove Catholics.
- That the Infanta's Family, being Strangers may be Catholics, and shall have a decent place appointed for all Divine Service, according to the use of the Church of Rome; and the Ecclesiasticks and Religious Persons may wear their own proper Habits.
- That the Marriage shall be Celebrated in Spain by a Procurator, according to the instructions of the Council of Trent, and after the Infanta's Arival in England, such a Solemnation shall be used, as may make the Marriage valid, according to the Laws of this Kingdom.
- That she shall have a competent number of Chaplains and a Confesser, being Strangers, one whereof shall have Power to Govern the Family in Religious Matters.
- But none of the People of England but were averse to this Match, except the Popists, whose interest indeed it was to carry it on.

After



After the *Bohemians* had chosen the Count *Palatine* King of *Bohemia*, he craved advice of his Father in Law King *James* touching the acceptation of that Royal dignity. But before he could receive his advice, he was prevailed upon to accept it, because the emergency of the Cause would admit of no delay, and afterwards sent to King *James* to excuse it.

When this important business of the Count *Palatines* accepting the Crown of *Bohemia* was related in the Kings Council; to evince of what advantage it was to the Protestant Cause: I shall here insert Arch-Bishop *Abbots* Letter to Sir *Robert Nauton*, the Kings Secretary, the Arch-Bishops infirmities not permitting him at that time to attend the Council.

That God hath set up this Prince, his Majesties Son in Law, as a mark of Honour throughout all Christendom, to propagate the Gospel, to help the oppressed, that for his own part, he dares not but to give advice to follow where God Leads, apprehending the Work of God in this and that of Hungary, that by Peace, and Peace the Kings of the Earth that gave their Power to the Beasts, shall leave the Whore and make her desolate, that he was satisfied in Conscience the *Bohemians* had just cause to reject that Bloody Man, who had taken a course to make that Kingdom not Elective, in taking it by the donation of another, the slighting of the Viscount *Doncaster* in his embassy, gave cause of just displeasure and indignation, therefore let not a Noble Son be forsaken for their sakes, who regard nothing but their own ends, our striking in will comfort the *Bohemians*, Honour the *Palgrave*, strengthen the Princes of the Union, draw on the United Provinces, stir up the King of Denmark and the *Palatines* two Uncles, the Prince of Orange and the Duke of *Bovillon*, together with *Termoville* a rich Prince in France to cast in their shares. The Parliament is the Old and honourable way for raising of Money, and all that may be spared is to be returned this way, and perhaps God provided the Jewels that were laid up in the Tower by the Mother, for the preservation of the Daughter, who like a Noble Princess hath professed, that she will not leave her self one Jewel, rather then not maintain so Religious and Righteous a Cause, certainly if countenance be given to this Action, many brave Spirits will offer themselves, therefore let all our Spirits be gathered up to animate this business, that the World may take notice, that we are awake when God calls.

By this Letter it plainly appears, that it was the Arch-Bishops Opinion, that it tended much to the promoting the Reformation, that the Count *Palatine* should accept the Crown of *Bohemia*, and the Crown of England should stand by him in it; and whoever reads the most impartial writers of those times will find, that the Spanish Match, which was then a foot, and Popish Councils at home, was the true Cause of the loss of the *Palatinate*, and the ruine of that Protestant Prince; and how could things be expected otherwise, so long as *Gondamor*, had so far the ascendant of the King, that when the Earl of *Essex* solicited the King (after the War was begun) to send more Forces, *Gondamor* obstructed it, whatever he desired was done, and few or none were well respected at Court but Spanish \* Pensioners (under whom the *Papists* flourished.) After the *Palatinate* was lost, the King outwardly seemed willing to assist towards the Recovery of it; and therefore proposes it first to the Privy Council, and afterwards called a Parliament which was to meet the thirteenth of January, in the 18th Year of his Reign, proposing to himself that the People for regaining the *Palatinate*, would open their Purses, which he might make use of, and that a good agreement Between him and his People, would induce his Brother of Spain to be more Active, and so he should have supply from the one, and dispatch from the other, i. e. Money and the Spanish Match, were the ends he aimed at, let the *Palatinate* Sink or Swim; 'twas no matter.

This the Jesuits and Seminary Priests knew well enough; and therefore they, ranging up and down like Spirits let loose, did not now, as formerly, creep into Corners, using close and cunning Artifices, but practised them openly, having admission to our Councillors of State. And when Secretaries and such as manage the intimate Councils of Kings, are Jesuits, and Clients to the Pope, there can be no tendency of affection to a contrary Religion, or Policy. Yet these were the Men that carried all before them at Court: And the Protestant interest must needs flourish under such Ministers of State; especially if it be considered; that England was not only Man'd with Jesuits (all Power now failing to oppose them) but the Women also began to practice the Trade, calling themselves *Jesuitrices*: This Order was first set on foot in *Flanders*, by Mrs. *Ward* and

K. Ja. I.  
Count Palatine chose King of Bohemia. Willsons Hist. f. 132. Rushw. Col. 1. part. f. 12.

Arch-Bishop Abbot's Letter touching the Count Palatines accepting the Crown of Bohemia.

\*Willsons 144. Rushw. 1. part. f. 18. vide. the private instructions to the Spanish Ambassador sent thro England. Willsons Hist. f. 151.

women Jesuitrices.



K. Jan 1.

Mrs. Twitty, two English Gentlewomen, who Cloathed themselves in Ignatian Habit, and were Countenanced and Supported by Father Gerrard Rector of the English Colledge at Leige, with Father Flack and Father More. Their design was to Preach the Popish Doctrine to their own Sex in England, (i. e. to Alienate their Hearts from their Sovereign, if he be not of their Religion, or will not at least connive at it;) to engage them in Plots, Conspiracies and Treasons, for the destroying Heretical, i. e. Protestant Kings, and Heresie, that is, Protestantism, that they do, or should defend.

This project took so (as any thing doth that tends to promoting Mother Church) that in a short time this Mrs. Ward, by the Popes indulgence (who will indulge any thing that tends to destroy, what he calls Heresie) became the Mother General, of no less then two Hundred English Damsels of good Birth and Quallity, whom she sent abroad to Preach.

This Story and many other Jesuitical exploits, are more particularly related in *Wadsworths Spanish Pilgrim*, to which I refer the Reader.

The Parliament meet.  
Wilsons Hist.  
f. 193.  
Rushw. Coll.  
1 pt. f. 23.

On the 30th. of January, 1620. the Parliament met, according to the Summons, and notwithstanding the King's smooth Speech to them, they petitioned him for the due Execution of the Laws against Jesuits, Seminary Priests and Papists, which evidences that there was either none, or at least a very slender Execution of those Laws.

They rip up  
Grievances.

They rip up many Grievances that the People had groaned under, during the Intervals of Parliament, by Monopoly, Patents and otherwise, punished the great Managers of them with exemplary Punishments; and to make the Redress of these Grievances pass the more easily with the King, they gave him two Subsidies, which was very acceptable to him.

The Parliament  
adjourned with-  
out taking care  
of the Palati-  
nate or Prote-  
stant Religion.  
Rushw. Coll.  
1 pt. f. 35.  
Wilsons Hist.  
f. 164.

He having got this Supply, when the Parliament had sate about four Months, he sent them word by the Lord Treasurer, that he would have them adjourn, as being more expedient than a Prorogation; that he had redressed Corruption in Courts of Justice, by his Proclamation, called in the Patents of Inns, of Osteries, and of Gold and Silver Thread, and cherished the Bill against Informers and Monopolies; but not a word of Care taken to recover the *Palatinate*, or putting the Laws in execution against the Papists.

Wilson saith  
ill February.

The Commons take it amiss, which the King resents, and on the fourth of June 1621. in the nineteenth Year of his Reign; he declared for an Adjournment till November following, and that he will in the mean time, of his own Authority, redress Grievances.

The House of Commons, immediately before this Recess, taking to heart the Miseries of the *Palatinate*, and knowing how much the Protestant Religion was concerned in it, resolved, that the drawing back in so good a Cause, should not be charged on their Slackness, and therefore made the Declaration following, with an universal Consent.

The Commons  
Declaration  
touching the  
Palatinate.  
Rushw. Coll.  
1 pt. f. 36.  
Wilsons Hist.  
f. 164.

THE Commons assembled in Parliament, taking into most serious Consideration, the present State of the Kings Children abroad, and general afflicted Estate of the true Professors of the same Christian Religion, professed by the Church of England, in foreign Parts, and being touched with a true Sense and Fellow-feeling of their Distresses, as Members of the same Body, do, with unanimous Consent, in the Name of themselves and the whole Body of the Kingdom (whom they represent) declare unto His most Excellent Majesty, and to the whole World, their hearty Grief and Sorrow for the same; and do not only joyn with them in their humble and devout Prayers to Almighty God, to protect his true Church, and to avert the Dangers now threatened; but also with one Heart and Voice, do solemnly protest, That if His Majesties pious Endeavours by Treaty, to procure their Peace and Safety, shall not take that good Effect, which is desired in Treaty (wherefore they humbly beseech His Majesty, not to suffer any longer Delay) that then upon Signification of His Majesties Pleasure in Parliament, they shall be ready, to the utmost of their Powers, both with their Lives and Fortunes, to assist him so, as that by the Divine Help of Almighty God (which is never wanting unto those who, in his Fear, shall



shall undertake the Defence of his own Cause) he may be able to do that with his Sword, which by a peaceable Course shall not be effected.

K. Ja. I.

Soon after this, the King was plyed from Spain and Rome, to enlarge his Favours to Popish Recusants, and it could not be otherwise expected, so long as there was any thoughts of so near an Alliance between Spain and England.

The King plied for Favour to Papists.

The Parliament met again the twentieth of November, and because the House of Commons found, that though the King declared for War, he pursued Peace, and resolved to close with Spain. They resolved to try the Kings Spirit by the following Petition and Remonstrance, wherein they laid open the Distempers of those Times, with their Causes and Cures.

The Parliament meet.

The Causes they told him were these: 'The Vigilance and Ambition of the Pope, and his Son the Spanish Prince: The Devilish Doctrines of the Romish Church: The distressed Estate of the Protestants abroad: The disastrous Accidents to his (a) Children abroad: The strange Confederacy of the Popish Princes, to subvert the Protestant Religion here: The great Armies raised by the Spaniard. The Papists Expectations of the Spanish Match: Foreign Princes interposing for Favour to Papists here: The Papists open Resort to Foreign Ambassadors: Their Concourse to London, and their Conventicles there: The Education of their Children in Seminaries: The Grants of their Forfeitures to Persons, who take little or nothing of them: The printing Popish Books: The Swarms of Priests and Jesuits: (The common Incendiaries of all Christendom) dispersed in all parts of the Kingdom.

A Remonstrance by the Parliament against Popery. Willson f. 167. Rushw. Coll. 1 pt. f. 40.

(a) The Count Palatines Family.

The growing Mischiefs to Church and State, they told him were these: 'The Popish Religion is incompatible with ours, and draws with it an unavoidable Dependence on Foreign Princes. It opens a wide Gap for Popularity, to any who shall draw too great a Party; (b) it hath a restless Spirit, and will strive by these Gradations. If it get but a Commivance, it will press for a Toleration; if that should be obtained, they must have an Equality; from thence they will aspire to Superiority, and will never rest till they get a Subversion of the true Religion.

(b) We have lately seen the Truth of this verified, when the Papists from Conni-

vance, actually got a Toleration, and that with an Equality, and had got the Superiority, and subverted our Religion, had not God in his Providence interposed.

The Remedies proposed were: 'That the King would take his Sword into his Hand; that he would therewith assist the Protestants abroad, not to rest upon a War in these Parts only, but give a Diversion otherwise: That this War might be against him, that had maintained the War in the Palatinate: That he would put the Laws in Execution against the Papists: That the (c) Prince might be married to a Protestant: That the Children of the Nobility and Gentry beyond Seas, might be called home: That Papists Children, and their Children, whose Wives were Papists, might be educated by Protestant School-Masters and Teachers: That the King would revoke all former Licences for Youth to travel beyond Sea, and grant no more after. That all former Grants of Papists Lands might be avoided, if by Law they could, and no such Grants made afterwards.

(c) Charles the First.

The Commons had no small reason to take notice of the State of the Protestant Interest abroad: seeing besides the great Wound made in Germany, and the Cruelties of the prevailing House of Austria, the Protestants in France, were almost ruined by Lewis the Thirteenth, and yet notwithstanding, the King understanding they were preparing the above mentioned Remonstrance, writ a Letter to Sir Thomas Richardson, Speaker of the House of Commons, December the 3d. 1621.

Protestants persecuted abroad. Rushw. Coll. 1 pt. f. 43.

Where-



K. Ja. I.

The King is  
angry at the  
Remonstrance,  
and writes to  
the Speaker to  
prevent it.  
Rush. Coll.  
Ibid.

Wherein he let him know, He heard, to his Grief, that his Absence (being sick) had emboldened some fiery and popular Spirits of the House, to argue and debate Matters far above their Reach and Capacity, tending to his Dishonour, and Breach of Prerogative Royal. Therefore commanded him to make known to the House, that none should presume to meddle with any thing concerning his Government, or deep Matters of State; and particularly, that they should not deal with his dearest Sons Match with the Daughter of Spain, or any other his Friends and Confederates: That except they did reform it before it came to his Hands, he would not hear nor answer it.

Another Re-  
monstrance.  
Rush. Coll.  
1 pt. f. 44.

And he was as good as his Word, as will appear afterwards; for upon the Receipt of this Letter, the House drew up another Remonstrance, with the greatest Submission imaginable; wherein they lay the Ground of their former Remonstrance, upon the deplorable Estate of his own Children in the Palatinate, and the apparent Danger, and almost unavoidable Ruine of the Protestants, and the Protestant Religion at Home and abroad, evidenced by Transactions, an Account whereof, they had received from his Majesty himself, by three Honorable Lords, and tackt their former Remonstrance to the latter, and so presented them; but the former he rejected utterly, and gave a long Answer to the latter, but granted nothing whereof they complained; as may be seen by the Answer it self, printed in *Wilson*, f. 178. and *Rushworth* f. 46. In the said Answer, he discovered his great Concern for the Spanish Match, and his Backwardness to proceed against Papists, however the same is blended by specious Pretences of the Necessity of shewing Favour to the Papists here, to procure the gentle Usage of the Protestants abroad. He denied in his Answer, the Rights and Priviledges of the Commons to be their Birth-right; they protest them so to be; he tears the Protest out of the Journal Book of the House of Commons, and the sixth of January, 1621. by Proclamation, dissolves the Parliament. And whether that were the way to recover the Palatinate, or secure the Protestant Religion at home or abroad; needs no great Sagacity to determine.

VWilson's  
Hist. f. 188.  
Rushw. Coll.  
1 pt. 53, 54.  
55.  
The Parliament  
dissolved.

Papists dis-  
charged from  
Imprisonment.  
VWilson's  
Hist. f. 196.  
Rushw. Coll.  
1 pt. f. 62, 63.  
\* Car. Bandi-  
no, Car. Lode-  
visio.

In the twentieth Year of this Kings Reign, the Prisons were opened, Priests and Jesuits walked about at Noon. And Gondamore (who did what he pleased) vaunts of four thousand Papists that his Intercession had released; either to make his Service the more acceptable to his Master, or to let him see how willing the King was to do any thing to advance that Match, which they never intended. The King was not so nice, but that he could stay for a Dispensation from Rome. To expedite which, he wrote to some of the most active Cardinals there, and received Answers from them full of alluring Hopes. And that he might give some more publick Testimony of his Indulgence to the Papists (the mortal Enemies of the Protestants) he commanded Doctor Williams, Bishop of Lincoln, then Lord-Keeper of the Great Seal of England, to pass Writs under the Great Seal, to require the Judges of every Circuit, to enlarge all such Papists as were imprisoned for Recusancy, accordingly the Writs were issued forth under the Great Seal, and the Lord-Keeper wrote to the Judges on this manner, which Letter, take Verbatim, as printed in *Wilson*.

### The Lord Keeper Williams his Letter to the Judges, in Favour of the Papists.

VWilson's  
Hist. f. 199.

After my hearty Commendations to you, His Majesty having resolved (out of deep Reasons of State, and in Expectation of like Correspondence from Foreign Princes, to the Professors of our Religion) to grant some Grace and Connuance to the imprisoned Papists of this Kingdom; hath commanded me to pass some Writs under the Broad Seal to that purpose; requiring the Judges of every Circuit, to enlarge the said Prisoners, according to the Tenor and Effect of the same. I am to give you to understand (from His Majesty) how His Majesties Royal Pleasure is; that upon receipt of these Writs, you shall make no Niceness or Difficulty to extend His Princely Favour to all such Papists, as you shall find Prisoners in the Goals of your Circuits,



by the Protestants against the Papists.

101

Circuits, for any Church Recusancy whatsoever, or refusing the Oath of Supremacy, or dispersing Popish Books, or bearing, saying of Mass, or any other Point of Recusancy, which doth touch or concern Religion only, and not Matter of State,

K. Ja. I.

And so I bid you farewell,

Westminster Coll.  
2. Aug. 1622.

Your Loving Friend,

To. Lincoln.

In order to the Match with Spain, the King agreed to such Articles of Religion, as were Satisfactory in the Judgment of the learnedest and greatest Clergy of Spain: That they declared their Opinion, that upon the Offer of such Conditions, the Pope ought not to withhold the Dispensation, and the Pope himself was satisfied, that he had in a manner, done already all that was desired.

*The Spanish Match, the Nature of the Articles.*  
Rushw. Coll.  
1 pt. f. 66, 67.

No wonder then, that the Papists were quiet here in England, and not engaged in Plots and Contrivances against the Kings Person; for the Reason is plain, the whole Substance of the Spanish Treaty, was a Plot for ruining the Palatinate, and thereby weakening, in order to destroy, the Protestant Interest abroad; which they effected, by feeding the King with the Hopes of that Match, and thereby diverting him from taking the Parliaments Advice, in order to recover the Palatinate; and when they had brought their Designs about, and the Palatinate was irretrievably lost, they broke off the Match, and left the King and Prince in the Lurch. Right Popish Jugling.

*You may read the whole Story in VVilson and Rushworth.*

After this Treaty was dissolved, the King thinks of a Match with France, and the Lord Kensington was sent Ambassadot into France, to feel the Pulse of that Court touching it, and gives an Account that it would be accepted; soon after which, a Parliament was called, to meet the twelfth of February, in the 21st. year of this King, 1623. and now the King is of the Mind to take the Parliaments Advice about his Sons Match, as he told them, and is grieved for the Increase of Popery (if after all the foregoing Passages, it be to be believed) and promises a great deal, and performs never a whit. And here I cannot omit what Wilson saith, speaking of this Parliaments Petition against Papists, and the Kings Answer, both which he hath printed at large, f. 272. 273, 274, 275. to which I refer the Reader: 'If the King, saith he, had seriously and really considered the very last Clause of this Petition, wherein the Glory of God, and the Safety of his Kingdoms so much consisted, as the Parliament wisely express and foresee, and which the King saith, is the best Advice in the World, and which he promised so faithfully to observe in the next Treaty of Marriage for his Son, it might perhaps have kept the Crown upon the head of his Posterity. But when Princes break with the People, in those Promises that concern the Honour of God, God will let their People break with them, to their Ruine and Dishonour: And this Maxim holds in all Powers, whether Kingdoms or Commonwealths, as they are established by Justice, so the Justice of Religion, which tends most to the Glory of God, is principally to be observed.'

*The French Match.*  
Rushw. Coll.  
1 pt. f. 114.  
*A Parliament called.*

*A good Caution for all Christian Princes and States.*

The Parliament followed the Chase close, and bolted out divers of the Nobility and Gentry of Eminency, popishly affected, that had earthed themselves in Places of high Trust and Power in the Kingdom, as if they meant to undermine the Nation. Their Names, Wilson saith, were these.

*The Parliament displaceth Papists.*

Francis Earl of Rutland, the Duke of Buckingham's Wives Father; Sir Thomas Compton, that was married to the Dukes Mother, and the Countess her self, who was the Cynosure they all steered by; the Earl of Castlehaven, the Lord Herbert after Earl of Worcester, the Lord Viscount Colchester after Earl of Rivers, the Lord Peter, the Lord Mor-

*Their Names.*  
VVilson's Hist. f. 276.



## An Historical Account of making the Penal Laws

K. J. I.

1st, the Lord *Windsor*, the Lord *Eure*, the Lord *Wotton*, the Lord *Teinham*, the Lord *Scroop*, who was Lord President of the North (and which they omitted, the *Earl* of *Northampton*, Lord President of *Wales*, who married his Children to *Papists*, and permitted them to be bred up in *Popery*) Sir *William Courtney*, Sir *Thomas Brudnell*, Sir *Thomas Somerset*, Sir *Gilbert Ireland*, Sir *Francis Stonners*, Sir *Anthony Brown*, Sir *Francis Howard*, Sir *William Powel*, Sir *Francis Lacon*, Sir *Lewis Lewkner*, Sir *William Aubury*, Sir *John Gage*, Sir *John Shelly*, Sir *Henry Carvell*, Sir *Thomas Wiseman*, Sir *Thomas Gerrard*, Sir *John Filpos*, Sir *Thomas Russel*, Sir *Henry Beddingfield*, Sir *William Wrey*, Sir *John Coumwey*, Sir *Charles Jones*, Sir *Ralph Conyers*, Sir *Thomas Lamplough*, Sir *Thomas Savage*, Sir *William Mosely*, Sir *Hugh Beston*, Sir *Thomas Riddall*, Sir *Marmaduke Nivell*, Sir *John Townesend*, Sir *William Norris*, Sir *Philip Knevet*, Sir *John Tasborough*, Sir *William Selbie*, Sir *Richard Titebborn*, Sir *John Hall*, Sir *George Perkins*, Sir *Thomas Penrodduck*, Sir *Nicholas Saunders*, Knights, besides several *Esquires* *popishly* addicted, either in their own Persons, or by means of their Wives, too tedious to be expressed here; and these were dispersed and seated in every County, who were not only in Office and Commission, but had Countenance from Court, by which they grew up and flourished, so that their Exuberancy hindered the Growth of any Goodness or Piety, their Malice pleased to drop upon.

Soon after which, the Parliament was adjourned, after they had made thirty five publick Acts, and seventy three private ones, but nothing was done with relation to the *Papists*.

Rushw. Coll.  
1 pt. f. 154.  
155.  
VVilson f.  
277. f. 15b.  
the King desired  
this Match  
above all  
Earthly Blessings.

The King admiring the Alliance of mighty Kings, though of a contrary Religion, desired the Match with *France* unmeasurably (notwithstanding his Promise to the Parliament) which the *French* perceived; and though they were very forward before, yet now abated of that Forwardness: And whereas they were at first very modest in their Demands, in favour of the *Papists*, yet now enlarged those Demands, and strained the King to the Concession of such Immunities, as he had promised the Parliament he would never grant. In *August* 1624. this Match was concluded, and in *November* the Articles were sworn unto by King *James*, Prince *Charles*, and the *French* King; the Articles concerning Religion, were not much short of those for the *Spanish* Match.

*Papists* encouraged by the Treaty with *France*.  
Rushw. Coll.  
1 pt. f. 154.

The *Papists* formerly daunted by the Breach of the *Spanish* Match, were now again revived by the Marriage Treaty with *France*. And at this time, upon the Death of *William*, titular Bishop of *Calcedon*, most of the *English* *Secular* Priests did petition the *Pope*, that another Bishop might be sent over into *England*, there to ordain Priests, give Confirmation, and exercise Episcopal Jurisdiction. Among others, *Matthew Kilsen* and *Richard Smith* were presented.

And though the *Regulars* were opposite to the *Seculars* in this Matter, yet those of the Order of *St. Benedict* joyned with the *Seculars*, and *Rudolfus Barlo*, the President of the *English* *Benedictines* of *Doway*, wrote a Letter in their Behalf, at the Congregation at *Rome*, named of the Propagation of the Faith. Dated the 12th. of *December* 1624.

In which Letter was this Passage: "That there were above sixty *Benedictine* Monks in *England*; and that it is not to be doubted (said he) (for that it is already seen, the good Success under the first Bishop) that another Bishop being constituted, there would be more joyful Fruits within two Years, in the *English* Mission, than hitherto hath been for sixty years now lapsed.

But not long after the *Episcopal* party of the *Romish* Church prevailing, *Pope Urban* the VIII. created *Richard Smith* Bishop of *Calcedon*, and sent him into *England* with Episcopal Authority over the Priests within the *English* Dominions.

The Close of  
this Kings  
Reign.  
Rushw. Coll.  
f. 155.

And now I am come to the Close of this Kings Reign, for after he had (notwithstanding all his connivance at the *Papists*, out of either Ambition or Cowardise) recommended the Protection of the Church of *England* to the then Prince of *Wales*, *Charles* the First; advised him to love his Wife, but not her Religion; and exhorted him to take special care of his Grand-Children, the Children of the Elector *Palatine*, by his Daughter, and to employ



K. Ja. I.

1. That there is no heed to be taken to any promises made, Advice given nor Oaths taken by *Papists*, for if the Interest of the *Popish* Religion Intervenes, the Promises, Advice, yea even the Oaths themselves, must give way, and 'tis *Meritorious*

3. That whenever they are detected of any Conspiracy or Treason, they immediately set their Wits to work, to throw the odium of it upon some sort of Protestants or other, nay sometimes they make it an essential part of the Conspiracy it self.

5. That they want not Arts to deceive even *Protestants* themselves, if they look not narrowly to them; so much can they transform themselves into the likeness of *Truth*.

Certainly then, there was good reason for the making the Penal Laws in this Kings Reign, and the Parliament are greatly justified in pressing an Execution of them, which had it been granted, a Man may with good reason believe all the Civil Wars in the succeeding Reign had been prevented.

And this might lead me to show the share the Popish Party had in the beginning, managing and carrying on that unhappy and ever to be lamented War ; but my design being only to show the reasonableness of making the Penal Laws against the Papists, and there being but one Law made against them in this unfortunate Princes Reign, I shall only give the grounds of making that Law, and pass on to the Reign of his Son King Charles the Second.

To the King's Most Excellent Majesty

## CHAP.

The Dangers appear in the Particulars.





## CHAP. IX.

King Charles.

1. His Accession

to the Crown.

Bakers Chron.

f. 451. Rushw.

Coll. 1 Pt. f.

165, 167, 170.

The Parlia-

ment meet.

Papists Par-

don'd contrary

to promise.

Rushw. Coll.

1 Pt. f. 280.

King James the First being dead, King Charles the First was immediately Proclaimed, he buried his Father the 7th of May 1625. The 13th of June in the same Year. the Match between him and the French Kings daughter was consummated here in England. A Chappel at Sommerſet House was built for the Queen and her Family, with conveniences thereunto adjoyning for Capuchin Fryers, who were therein placed, and had permission to walk abroad in their Religious Habits: Thence forwards greater multitudes of Seminary, Priests and Jesuites repaired into England out of foreign Parts, then before. The 18th day of June the Parliament opened; they after the usual Proceedings at the first sitting down, Petitioned the King concerning Religion and against Papists; he by his Answer gave them assurance of his real performance of what they desired in every particular.

But notwithstanding this, soon after, his Majesty granted a Pardon to one Alexander Baker a Jesuite and unto ten other Papists, which was gotten (as there was information given) by the importunity of some Foreign Ambassador, and passed by immediate Warrant, and was recommended by the Principal Secretary of State, without the payment of the ordinary Fees. And divers Copys of Letters, and other Papers, found by two Justices of Peace, in the House of one Mary Eftmonds in Dorsetshire, were stifled by the Secretarys means. The Commons upon these passages made observations, First, that the Pardon was dated the very next day after his Answer to their Petition, Secondly, That the Pardon dispensed with several Laws as 21. and 27. Eliz. and 3. Jac. provided to keep the Subjects in due obedience, Thirdly, That the Pardon was signed by the Principal Secretary of State. The Commons therefore declared, that these doings tended to the prejudice of true Religion, his Majesties dishonour, the discountenancing of Ministers of Justice, the grief of the good People; the animating of the Popish Party, who by such Examples grew more proud and insolent, and to the discouragement of the High Court of Parliament. The Petition concerning Religion and the Kings Answer take, as they are printed in Rushworths Collection, First Part f. 281.

## To the King's Most Excellent Majesty.

Most Gracious Sovereign,

IT being infallibly true, that nothing can more establish the Throne, and assure the Peace and Prosperity of the People, then the unity and sincerity of Religion; we your most humble and Loyal Subjects, the Lords Spiritual and Temporal, and Commons of this present Parliament assembled, and hold themselves bound in Conscience and Duty to represent the same to your Sacred Majesty, together with the dangerous consequences of the increase of Popery in this Land, and what we conceive to be the principal cause thereof, and what may be the Remedies.

CHAP.

The Dangers appear in these Particulars.

1. In their desperate ends, being both the Subversion of the Church and State; and the restlessness of their Spirits to attain these ends, the Doctrine of their Teachers and Leaders, perswading them that therein they do God good Service.
2. Their evident and strict dependency upon such Foreign Princes, as no way affect the good of your Majesty and this State.

3. The



3. The opening a way of popularity to the Ambition of any, who shall adventure to make himself head of so great a Party.

*The Principal Cause of the increase of Papists.*

1. The want of the due Execution of the Laws against Jesuits, Seminary Priests, and Popish Reculants; occasioned partly by the Connivency of the State, partly by defects in the Laws themselves, and partly by the manifold abuse of Officers.

2. The interposing of Foreign Princes by their Ambassadors, and Agents in favour of them.

3. Their great Concourfe to the City and frequent Conferences and Conventicles there.

4. The open and usual resort to the House and Chappels of Foreign Ambassadors.

5. the Education of their Children, in Seminaries and Houses of their Religion in Foreign Parts, which of late hath been greatly multiplied and enlarged for the entertaining of the English.

6. That in some places of your Realm your People be not sufficiently Instructed in the Knowledge of the true Religion.

7. The Licentious Printing and Dispersing of Popish and Seditious Books.

8. The Employment of Men ill affected in Religion in Places of Government, who do, shall, or may Countenance the Popish Party.

*The Remedies against this Outragious and dangerous Disease, we conceive to be these ensuing.*

1. That the Youth of this Realm be carefully Educated by careful and Religious Schoolmasters, and they to be enjoined to Catechize and Instruct their Schollars, in their Grounds and Principles of true Religion. And whereas by many Complaints from divers Parts of the Kingdom it doth plainly appear, That sundry Popish Schollars dissembling their Religion, have craftily crept in and obtained the Places of Teaching in divers Counties, and thereby infected and perverted their Schollars, and so fitted them to be Transported to the Popish Seminaries beyond the Seas, that therefore there be great care in choice and admitting Schoolmasters, and that the Ordinaries make diligent enquiries of their Demeanours, and proceed to the removing of such as shall be faulty or justly suspected.

**His Majesties Answer.**

‘ This is well allowed of, and for the better performance of what is desired, Letters shall be Written to the two Archbishops, and from them, Letters to go to all the Ordinaries of their severall Provinces to see this done; the severall Ordinaries to give account of their doings herein, to the Archbishops respectively, and they to give account to his Majesty of their Proceedings herein.

2. That the Antient Discipline of the Universities be restored, being the famous Nurseries of Literature and Vertue.

‘ *Ans.* ‘ This is approved by his Majesty, and the Chancellor of each Univerfity shall be required to cause due Execution of it.

3. That special care be taken to enlarge the Word of God through all the Parts of your Majesties Dominions, as being the most powerful means for planting of true Religion and rooting out of the Contrary: to which end, among other things, let it please your Majesty to Advice your Bishops, by fatherly intreaty, and tender usage, to reduce to the peaceable and orderly Service of the Church, such able Ministers as have



K. Ch. I.

have been formerly silenced, that there may be a profitable use of their Ministry in these needful and dangerous times, and that Non-residencies, Pluralities, and Commendams may be moderated, where we cannot forbear most humbly to thank your Majesty for diminishing the Number of your own Chaplains; not doubting of the like Princely care for the well bestowing of the rest of your benefices, both to the Comfort of the People, and the encouragement of the Universities, being full of grave and able Ministers unfurnished of livings.

*Ans.* 'This his Majesty likes well, so as it be applied to such Ministers as are peaceable, orderly and Conformable to the Church Government. For Pluralities and Non-residencies they are now so moderated, that the Arch Bishops affirm there be now no dispensations for Pluralities granted; nor no Man now is allowed above two benefices, and those not above thirty Miles distant, and for avoiding Non-residence, the Cannon in that case provided shall be duly put in Execution. For Commendams they shall be sparingly granted, only in such case where the exility and smallness of the Bishoprick requireth, also his Majesty will cause that the Benefices belonging to him shall be well bestowed, and for the better propagating of Religion, his Majesty recommendeth to the House of Parliament, that care may be taken and provision made, that every Parish shall allow a Competent Maintenance for an able Minister; and that the owners of Parsonages Improprate would allow to the Vicars and Ministers, Curates, in Villages and places belonging to their Parsonage, sufficient stipend and allowance for Preaching Ministers.

4. That there may be stricct provision against Transporting of English Children to the *Seminaries* beyond the Seas, and for the recalling of them who are already there placed, and for the Punishment of such your Subjects as are maintainers of those *Seminaries*, or of the Schollars; considering that besides the seducing of your People, great sums of Money are yearly expended upon them to the impoverishing of this Kingdom.

*Ans.* 'The Law in this Case shall be put in Execution: and further there shall be Letters written to the Lord Treasure, and also to the Lord Admiral, that all the Ports of this Realm, and the Creeks and Members thereof be strictly kept, and strait searches made to this end: A Proclamation shall be to recal both the Children of Noblemen and the Children of any other Men, and they to return by a day; also maintainers of *Seminaries* of Schollars there, shall be punished according to Law.

5. That no *Popish* Recusant be permitted to come within the Court, unless your Majesty be pleased to call him upon special occasion, agreeable to the Statue of 3. Jac. and whereas your Majesty for the preventing of apparent mischiefs both to your Majesty and the State; hath in your Princely wisdom, taken order that none of your natural born Subjects, not professing the true Religion as by Law established, be admitted into the Service of your Royal Consort the Queen, we give your Majesty most humble thanks, and desire that your order herein may be observed.

*Ans.* 'If his Majesty shall find, or be informed of any concourse of *Recusants* to the Court, the Law shall be strictly followed: And his Majesty is pleased, that by a Proclamation, the *Brittish* and *Irish* Subjects shall be put in the same Case; and as his Majesty hath provided in his Treaty with *France*, so his purpose is to keep it, that none of his Subjects shall be admitted into his Service, or into the Service of his Royal Consort the Queen, that are *Popish* Recusants.

6. That all the Laws now standing in force against *Jesuites*, *Seminary Priests*, and others having taken Orders by Authority, derived from the See of *Rome*, be put in due Execution, and to the intent they may not pretend to be surpris'd, that a speedy and certain day be prefixed by your Majesties Proclamation for their departure out of this Realm, and all other your Dominions, and not to return upon the severest Penalties of the Laws, now in force against them, and that all your Majesties Subjects may be thereby admonished not to receive, comfort, entertain or conceal any of them upon the



the Penalties, which may be lawfully inflicted: and that all such *Papists, Jesuites* and *Recusants*, who are and shall be imprisoned for Recusancy, or any other cause, may be so strictly restrained, as that none shall have conference with them, thereby to avoid the Contagion of their corrupt Religion: and that no Man that shall be suspected of *Popery*, be suffered to be a Keeper of any of his Majesties Prisons.

*Ans.* The Law in this case shall be put in Execution, and a Proclamation shall be to the effect desired; and such restraint shall be made as is desired, and no Man that is justly suspected of *Popery*, shall be suffered to be a Keeper of any of his Majesties Prisons.

7. That your Majesty be pleased to take such order as to your Princely Wisdom shall be expedient, that no natural born Subject, or strange Bishops, nor any other by Authority from the See of *Rome*; confer any Ecclesiastical function whatsoever, toward or upon your Majesties natural Subjects within your Dominions.

*Ans.* This is fit to be ordered according as is provided, and it shall be so published by Proclamation.

8. That your Majesties learned Council may receive Order and Commandment to consider of all former Grants of *Recusants* Lands, that such of them may be avoided as are made to the *Recusants* use or interest, out of which the *Recusant* receiveth any benefit, which are either void, or voidable by the Law.

*Ans.* The King will give Order to his learned Council to consider of the Grants, and will do according as is desired.

9. That your Majesty will be likewise pleased strictly to command all your Judges and Ministers of Justice Ecclesiastical and Temporal, to see the Laws of this Realm against *Popish* *Recusants*, to be duly executed; and namely that the censure of Excommunication be declared and certified against them; and that they be not absolved upon publick satisfaction by yielding to Conformity.

*Ans.* His Majestys leaves the Laws to their course, and will order in the point of Excommunication as is desired.

10. That your Majesty will be pleased to remove from Places of Authority and Government, all such Persons as are either *Popish* *Recusants*, or according to direction of former Acts of State, to be justly suspected.

*Ans.* This his Majesty thinks fit and will give order for it.

11. That present order be taken for disarming all *Popish* *Recusants*, legally convicted, or justly suspected, according to the Laws in that behalf, and the Orders taken by his late Majesty's Privy Council upon reason of State.

*Ans.* The Laws and Acts in this Case shall be followed and put in due Execution.

12. That your Majesty be also pleased in respect of the great resort of *Recusants*, to and about *London*, to command forthwith upon pain of your indignation, and severe Execution of the Laws, that they retire themselves to their several Countrys there to remain confined, within five Miles of their Places.

*Ans.* For this the Laws in Force shall be forthwith Executed.

13. And whereas your Majesty hath strictly commanded and taken Order, that none of the natural born Subjects repair to the hearing of *Masses*, or other *Superstitious* Services at the Chappels or Houses of foreign Ambassadors, or in any other places whatsoever; we give your Majesty most humble thanks and desire that your Order and Commandment



K. Ch. I.

Commandment therein may be continued and observed, and that the offenders herein may be punished according to the Laws.

*Ans.* 'The King gives consent thereto, and will see that observed, which herein hath been commanded by him.

14. That all such insolencies, as any that are *Popishly* affected, have lately Committed or shall hereafter commit, to the dishonour of our Religion, or to the wrong of the true Professors thereof be exemplarily Punished.

*Ans.* 'This shall be done as is desired.

15. That the Statute of 1 *Eliz.* for the payment of twelve pence every Sunday, by such as shall be absent from Divine Service in the Church, without a lawful excuse, may be put in due Execution, the rather for that the penalty by Law is given to the Poor, and therefore not to be dispensed withal.

*Ans.* 'It is fit that this Statute be Executed and the Penalties shall not be dispensed withal.

16. Lastly, that your Majesty would be pleased to extend your princely care also over the Kingdom of *Ireland* that the like courses may be there taken for the restoring and establishing of true Religion there.

*Ans.* 'His Majesties Cares are, and shall be extended over the Kingdom of *Ireland*, and he will do all that a *Religious* King should do, for the restoring and establishing of true Religion there.

And thus (Most Gracious Sovereign) according to our duty and zeal to God and Religion, to your Majesty and your safety, to the Church and Common-wealth, and their Peace and Prosperity, we have made a Faithful Declaration of the present Estate, the Causes and Remedies of this encreasing disease of *Popery*, Humbly offering the same to your Princely care and wisdom. The Answer of your Majesties Father, our Late Sovereign of Famous Memory, upon the like Petition did give us great comfort of Reformation, but your Majesties most Gracious Promises made in that kind, do give us confidence and assurance of the continual performance thereof, in which comfort and confidence reposing our selves, we most Humbly pray for your Majesties long continuance in all Princely felicity.

Rushw. Coll.  
1 pt. 191.

The Parli-  
ment dissolved.

Rushw. Coll.  
1. pt. f. 191.  
192.

The 10th of *August* the King sends to the Commons to have a present supply, and promises to let them meet again in *Winter*, and redress their greivances then; they insist to have both go on together, but withal make a most submissive Declaration of their affection and duty to him. Which, notwithstanding he by Commission 12 *August* 1625. dissolved them.

The King soon after issued out a Proclamation to call home *Papists* Children, and soon after Disarmed the *Papists*, but as this was pleasing, so his Letter soon after sent to the Levitenants for the loan of Money upon Privy Seals and other things of the like kind were as distastful to the People.

A Parliament  
called, Pa-  
pists proceeded  
against.

But these Courses not having the wisht for success, and the King being pressed with his own necessities, summoned a Parliament to meet in *February*; and enjoined the Arch-Bishops and Bishops in both Provinces to proceed by Examination, and other Church censures with the utmost severity against the *Papists*, and those more especially who were *Popishly* affected, and did encourage and advance the growth of *Popery*; and issued out a Proclamation to confine Convicted *Papists* to their dwelling Houses or within five Miles thereof.



On Candlemas Day he was Crowned, and at the time of his Coronation took the Coronation Oath in manner following.

Sir, (says the Arch-Bishop) will you grant and keep, and by your Oath confirm to the People of England, the Laws and Customs to them granted by the Kings of England, your Lawful and Religious Predecessors, and namely, the Laws, Customs and Franchises granted to the Clergy, by the Glorious King St. Edward, your Predecessor, according to the Laws of God, the true Profession of the Gospel established in this Kingdom, agreeable to the Prerogative of the Kings thereof, and the ancient Customs of the Realm.

K. Ch. I.  
K. Charles I.  
Crowned.  
The Coronation  
Oath, Rushw.  
Coll. 1. part  
f. 200.  
Arch-Bishop.

I Grant and Promise to keep them,

Sir, Will you keep Peace and Godly Agreement (according to your Power) both to God, the Holy Church, the Clergy and the People.

The Kings Answer.

I Will keep it.

Sir, Will you (to your Power) cause Law, Justice and Discretion to Mercy and Truth to be executed to your Judgment.

I Will.

Sir, Will you grant to hold and keep the Laws and Rightful Customs, which the Commonalty of this your Kingdom have, and will you defend and uphold them to the Honour of God, so much as in you lyeth.

I Grant and promise so to do,

Then one of the Bishops read this passage to the King.

Our Lord and King, we beseech you to Pardon and to Grant, and to preserve unto us, and to the Churches committed to your Charge, all Canonical Priviledges, and do Law and Justice, and that you would protect and defend us, as every good King to his Kingdom ought to be a Protector and Defender of the Bishops and the Churches under their Government.

## The King Answereth.

With a willing and devout Heart, I Promise and Grant my Pardon, and that I will preserve and maintain to you, and the Churches committed to your Charge all Canonical Priviledges, and due Law and Justice, and that I will be your Protector and Defender to my Power, by the assistance of God, as every good King in his Kingdom in right ought to protect and defend the Bishops and Churches under their Government.

Then the King arose and was led to the Communion Table, where he takes a solemn Oath in sight of all the People, to observe all the Promises, and laying his hand upon the Bible said,

The things which I have here Promised, I shall perform and keep; So help me God, and the Contents of this Book.

The sixth Day of February the Parliament met, Papists are prohibited from going to Mass at Ambassadors Houses, the Judges are ordered to put the Laws in Execution against Papists, which notwithstanding the Committee of Grievances reported to the Commons House: That, one general evil was, the encrease and countenancing of Papists.

The Parliament meets.

The Marshal of Middlesex meeting with resistance in seizing of Romish Priests Goods, and complaining of the matter, the then Arch-Bishop writ to Mr. Attorney General on behalf of the Priests, which Letter was as followeth,  
Good Mr. Attorney.

I thank you for acquainting me what was done, Yesterday at the Clinck: But I am of opinion, that if you had curiously enquired upon the Gentleman, who gave the Information, you should have found him to be a Disciple of the Jesuites, for they do nothing but put Tricks on these poor Men, who do live more miserable Lives, then if they were in the Inquisition in many parts beyond the Seas. By taking the Oath of Allegiance, and writing in defence of it, and

The Arch-Bishop's Letter on behalf of the Priests.  
Rushw. Coll. 1. part f. 243.  
opening



## An Historical Account of making the Penal Laws

**K. Ch. I.** opening some points of high consequence, they have so displeased the Pope, that if by any cunning they could catch them, they are sure to be burnt or strangled for it, and once there was a Plot by this Letter to have taken Preston, as he passed the Thames, and to have shipped him into a bigger Vessel, and so to have transported him into Flanders, there to have made a Martyr of him; in respect of these things King James always gave his Protection to Preston and Warrington as may be easily shewed. Cannon is an old Man well affected to the cause, but medleth not with any Factions or Seditions, as far as I can learn, they complain their Books were taken from them, and a Crucifix of Gold with some other things, which I hope are not carried out of the House, but may be restored again unto them; for it is in vain to think, that Priests will be without their Beads or Pictures, Models of their Saints; and it is not improbable, that before a Crucifix they do often say their Prayers.

By this Letter it appears how unwilling the Government was to be in any sort cruel even the Priests; and yet how ungrateful are the Papists to this Day.

I leave the things to your best Consideration, and hope that this deed of yours, together with my word will restrain them for giving offence hereafter, if so be that lately they did give any. I heartily commend me unto you, and so rest,

Your very Loving Friend

G. Canterbury

*The Parliament Petition the King against Papists. Rushw. Coll. 1. part f. 391.*

In this Parliament the Commons Petitioned the King to remove the Papists, or justly suspected out of Places of Government, Authority and Trust, and named them of the Nobility and Gentry, to the number of sixty one, who were got into such Offices, and prayed they might be displaced. The Petition and Names take as followeth.

### To the Kings most Excellent Majesty.

*The Parliament Petition against Papists, with the names of the Persons, who were crept into Offices notwithstanding the severity of the Laws against them.*

**Y**our Majesties most Obedient and Loyal Subjects, the Commons in this present Parliament assembled, do with great Comfort remember the many Testimonies which your Majesty hath given of your sincerity and Zeal of the true Religion, established in this Kingdom, and in your particular gracious Answer to both Houses of Parliament at Oxford, upon their Petition concerning the Causes and Remedies of the increase of Popery; that your Majesty thought fit and would give Order to remove from all places of Authority and Government, all such Persons as are either Popish Recusants, or according to direction, of former Acts of State justly to be suspected; which was then presented as a great and principal Cause of that Mischief. But not having received so full Redress herein, as may conduce to the peace of this Church, and Safety of this regal State, they hold it their Duty once more to resort to your Sacred Majesty, humbly to inform you, that upon Examination they find the Persons under written to be either Recusants, Papists, or justly suspected according to the former Acts of State, who now do, or since the sitting of the Parliament did remain in places of Government and Authority, and trust in your several Counties of this your Realm of England, and Dominion of Wales.

The Right honourable Francis Earl of Rutland, Lieutenant of the County of Lincoln, Rutland, Northampton, Nottingham, and a Commissioner of the Peace, and of Oyer and Terminer in the County of York, and Justice of Oyer from Trent Northwards, His Lordship is presented to be a Popish Recusant, and to have affronted all the Commissioners of the Peace within the North Riding of Yorkshire, by sending a License under his Hand and Seal unto his Tenant Thomas Fisher, dwelling in his Lordships Mannor of Hemstley in the said North Riding of the said County of York, to keep an Alehouse; soon after he was, by an Order made at the Quarter Sessions, discharged from keeping an Alehouse, because he was a Popish Convict Recusant, and to have procured a Popish Schoolmaster, namely Roger Conyers to teach Schollars within the said Mannor of Hemstley, that formerly had his License to teach Scholars taken from him, for teaching Scholars that were the Children of popish Recusants; and because he suffered these Children to be absent themselves from the Church, whilst they were his Schollars: For which the said Conyers was formerly complained of in Parliament.

The



by the Protestants against the Papists.

111

K. Ch. I.

The Right Honourable *Vicount Dunbar* Deputy Justice in Oyer to the Earl of *Rutland*, from *Trent* Northward, and a Commissioner of *Sewers*, and a Deputy Lieutenant within the *East Riding* of *York-shire*: His Lordship is presented to be a popish Recusant, and his Indictment removed into the *Kings-Bench*; and his Wife, Mother, and the greatest part of his Family are popish Recusants, and some of them Convicted.

*William Lord Eure*, in Commission for the *Sewers* in the *East Riding*, a Convict, Popish Recusant: *Henry Lord Abergaveeny*, *John Lord Tenham*, *Edward Lord Wotton*, in Commission for *Sewers*, justly suspected for Popery: *Henry Lord Morley* Commissioner for *Sewers* in *Com. Lanc.* himself suspected, and his Wife a Recusant: *John Lord Mordant* Commissioner of the Peace, *Sewers*, and Subsidy in *Com. Northampton*.

*John Lord St. John* of *Basing*, Captain of *Lidley Castle* in *Southampton*, indicted for a Popish Recusant.

*Em. Lord Scroop* Lord President of His Majesties Council in the North, Lord Lieutenant of the County and City of *York*; and *Comd. Eborac. & villa Kingston super Hull*, presented the last time, and continuing still to give Suspicion of his ill affection in Religion.

1. By never coming to the Cathedral Church upon those days, wherein former Presidents have been accustomed.

2. By never receiving the Sacrament upon Common days, as other Presidents were accustomed, but publickly departing out of the Church, with his Servants, upon those days, when the rest of the Council, Lord Mayor and Aldermen do receive.

3. By never or very seldom repairing to the Fasts, but often publickly riding abroad with his Hawks on those days.

4. By causing such as are known to be firm on those days in the Religion Established, to be left out of Commission; which is instanced in *Henry Alured Esq;* by his Lordships procurement, put out of the Commission of *Sewers*; or else from keeping them from Executing their places, which is instanced in *Dr. Hudson* Doctor in Divinity, to whom his Lordship hath refused to give the Oath, being appointed.

5. By putting divers other ill-affected Persons in Commission of the Council of Oyer and Tenancy, and of the *Sewers*, and in other places of Trust, contrary to His Majesties Gracious Answer to the late Parliament.

6. In *October* last 1625. being certified of divers Spanish Ships of War upon the Coasts of *Scheshire*, his Lordship went thither, and took with him the Lord *Dunbar*, *Sir Thomas Metham* and *William Alford*, and lay at the House of the Lord *Eury*, whom he knew to be a convict Recusant, and did notwithstanding refuse to disarm him, although he had received Letters from the Lords of the Council to that effect. And did likewise refuse to shew the Commissioners who were to be employed for disarming of Popish Recusants, the Original Letters of the Privy Council, or to deliver them any Copies, as they desired, and as his Predecessors in that place were wont to do.

7. By giving Order to the Lord *Dunbar*, *Sir William Wetham* and *Sir William Alford*, to view the Forts and store of Munition in the Town of *Kingston upon Hull*, who made one *Kerton* a convict Recusant, and suspected to be a Priest, their Clerk in that Service.

8. By denying to accept a Plea, rendered according to the Law, by *Sir William Hilliard* Defendant, against *Isabel Simpson* Plaintiff, in an Action of Trover, that she was a convict Popish Recusant, and forcing him to pay Costs.

9. By the great increase of Recusants since his Lordships coming to that Government in *January*, 1619. It appearing by the Record of the Sessions that there are in the *East Riding* only one Thousand six Hundred and Seventy more convicted then were before, which is conceived to be an effect of his favour and countenance towards them.

William



## An Historical Account of making the Penal Laws

**L.Ch. I**

*William Langdale Esq;* convicted of Popish Recusancy; *Jordan Metham, Henry Holm, Michael Partington, Esquires;* *George Creswel, Thomas Danby,* Commissioners of the Sewers, and put in Commission by procurement of the Lord Scroop, Lord President of the North, and who have all Popish Recusants to their Wives; *Ralph Bridgman* a Non-Communicant.

*Nicholas Girslington,* whose Wife comes seldom to Church; *Sir Marmaduke Wyce* Knight and Baronet, presented the last Parliament, his Wife being a convict Popish Recusant, and still continuing so.

*Sir Thomas Metham* Knight, Deputy-Lieutenant, made by the Lord Scroop in Commission of the Council of the North, and of Oyer and Terminer, and other Commissions of Trust; all by procurement of the said Lord president since the Kings Answer; never known to have received the Communion; his two only Daughters brought up to be Popish, and one of them lately Married to *Thomas Deleman Esq;* a Popish Recusant.

*Anthony Vicount Mountague,* in Commission of the Sewers in Com. *Suffex,* his Lordship a Recusant Papist.

*Sir William Wray* Knight, Deputy-Lieutenant, Collonel to a Regiment, his Wife a Recusant: *Sir Edward Musgrave, Sir Thomas Lampleigh* Justices of Peace and Quorum, *Sir Thomas Savage* Deputy-Lieutenant and Justice of Peace, his Wife and Children Recusants, *Sir Edward Egerton* a Non-Communicant.

*Thomas Savage Esq;* a Deputy-Lieutenant, a Recusant, and his Wife Indicted and presented; *William Whimore* Commissioner of the Subsidy, his Daughter and many of his Servants Recusants. *Sir William Massie* Commissioner for the Subsidy, his Lady Indicted for Recusancy, and his Children Papists: *Sir William Courtney* Knight, Vice-Warden of the Stannery, and Deputy-Lieutenant, a Popish Recusant.

*Sir Thomas Ridley* Knight, Justice of the Peace, his Wife a Popish Recusant, and Eldest Son.

*Sir Ralph Conyers* Knight Justice of Peace, his Wife a Popish Recusant.

*James Lawson Esq;* a Justice of Peace, and one of the Captains of the Trained-Bands, his Children Popish Recusants and Servants Non-Communicants.

*Sir John Shelley* Knight and Baronet, a Recusant. *William Scot Esq;* a Recusant.

*John Finch Esq;* not convicted, but comes not to Church, in Commission of the Sewers.

### These are all Convicted Recusants, or suspected of Popery.

*Sir William Mullineux* Deputy-Lieutenant and Justice of Peace, his Wife a Recusant, *Sir Richard Houghton* Knight, Deputy-Lieutenant, his Wife and some of his Daughters Recusants. *Sir William Norris* Captain of the General Forces and Justice of Peace, a Recusant; *Sir Gilbert Ireland* Justice of Peace, a Recusant; *James Anderton Esq;* Justice of Peace, and one of his Majesties Receivers, his Wife a Non-Communicant, his Son and Heir, a great Recusant, and himself suspected.

*Edward Rigby Esq;* Clerk of the Crown, Justice of Peace, himself a good Communicant, but his Wife and Daughters Popish Recusants.

*Edward Creswel Esq;* Justice of Peace, his Wife a Popish Recusant.

*John Parker* Gentleman, Muster Master for the County suspected for a Popish Recusant.

*George Ireland Esq;* Justice of Peace, his Wife a Popish Recusant.

*John Preston Esq;* Bow-bearer for his Majesty in *Westmoreland* Forrest, a Recusant.

*Thomas Cecil Esq;* Jaylor, Justice of the Peace and Quorum, his Daughter a Recusant Married.

*Sir Cuthbert Halsal* Justice of Peace, his Wife a Recusant.

*Richard Sherburn Esq;* Justice of Peace, himself Non-resident, his Wife and Son Recusants.

*Sir George Hennage* Knight, *Sir Francis Metcalf* Knight, *Robert Thorold Esq;* *Anthony Munson Esq;* *William Dallison Esq;* in Commission of the Sewers; and are justly suspected for Popish Recusants.



Sir Henry Spiller Knight, in Commission for Middlesex and Westminster, and Deputy-Lieutenant: Valentine Saunders Esq; one of the Six Clerks, both which are justly suspected to be ill-affected in Religion according to the Acts of State.

Charles Jones Knight Deputy-Lieutenant and Justice of Peace, George Milburne Esq; Justice of Peace, Edward Morgan Esq; their Wives are all Popish Recusants.

William Jones Deputy-Lieutenant, Justice of Peace, his Wife suspected to be a Popish Recusant.

John Vaughan Captain of the Horse suspected for Recusancy.

Benedict Hall receiver and Steward of the Dutchy of Lancaster, he and his Wife are Popish Recusants.

Sir Thomas Brudenel Knight and Baronet, Deputy Lieutenant, a Popish Recusant.

Cuthbert Heron Esq; now Sheriff of Northumberland Justice of Peace, his Wife a Recusant.

Sir William Selby Junior Knight Justice of Peace, his Wife a Recusant.

Sir John Canning Knight, Justice of Peace, his Wife a suspected Recusant.

Sir Ephraim Widdrington Knight, Justice of Peace, suspected to be a Recusant.

Sir Thomas Ridall Knight Justice of Peace, his Wife and Eldest Son are Recusants.

John Widdrington Esq; who came out of the same County before his Majesties Proclamation was Published, and is now at London attending the Council Table by Commandment, and yet not dismiss.

Sir Robert Pierpotne Justice of Peace, his Wife a Recusant.

Sir Anthony Brown Knight Justice of Peace, thought to be a Recusant, but not convict.

Sir Henry Beddingfeild Knight, Deputy-Lieutenant and Justice in Oyer and Terminer, and in Commission of Sewers Justice of Peace and Captain of a Foot Company, his Wife nor any of his Children, as is informed, come to the Church.

Thomas Sayer Captain of the Horse, his Wife comes not to Church.

Sir William Telvorton Baronet and Justice of Peace, not suspect himself, but his Eldest Son, and one of his Daughters are known Recusants.

Sir Henry Minne Knight Justice of Peace and Quorum, neither he, his Wife or Daughters can be known to have received the Communion, and have been presented at the Sessions for Non-conformity.

Robert Warren Clerk, a Justice of Peace, justly suspected, and that for these Reasons.

1. He being in trust for one Ratcliff of Bury, Deceased, for the Education of his Son; he took him from the School at Twelve years Old and sent him beyond the Seas to be brought up there, in a Popish Seminary, where he hath remained six or seven years, as was generally Reported.

2. One of his Parishioners doubted in some points of Religion, being Sick, and desired to be satisfied by him, who confirmed him in the Religion of the Church of Rome, which he told to his Brothers before his Death, who are ready to affirm the same, but this was divers years since.

3. There being Letters directed to four Knights of that County to call the Ministers and other Officers before them, and to cause them to present all such as absented themselves from the Church, and were Popishly affected, he was desired to present those within his Parish Church of Welford, which he accordingly did, but left out at the least one half. And being asked why he did so? He Answered, that he was no Informer: And being asked of some particulars, whether they come to the Church or not, his Answer was, they did not. And why then did he not present them? He said, they might be Anabaptists or Brownists, and would not present them, and this certified by three Members of the House.

4. He having a Brother dwelling in Sudbury that was presented for not coming to the Church; he came to one of the Ministers, and told him that he took it ill they presented his Brother: Who Answered, he did not; but if he had known of it, he would; whereupon he replied, he was glad he had a Brother of any Religion.

5. One of his Parish named Fage, having Intelligence that there was one of the said Parish that could inform of a private Place where Arms were in the Recusants House



K. Ch. I.

House in the Parish, came to some of the Deputy-Lieutenants in Commission for a Warrant to bring the same in form before them, to be examined concerning the same. And the said *Fage* delivered the Warrant to the Constable; he carried him before the said *M. Warren*, who rated the said *Fage* for that he did not come to him first, telling him, that he was a factious Fellow, and laid him by the Heels for two hours; which the said *Fage* is ready to affirm.

*Sir Benjamin Tiebburn* Knight and Baronet, Justice of Oyer and Terminer, Justice of Peace and Deputy-Lieutenant, and in Commission for the Subsidy; his Wife, Children and Servants Indicted for Popish Recusancy.

*Sir Richard Tiebburn* Knight Justice of the Peace, his Wife presented the last Sessions for having absented her self from the Church for the space of two Months.

*Sir Henry Compton* Knight Deputy-Lieutenant, Justice of Peace and Commissioners for the Sewers.

*Sir John Shelley* Knight and Baronet himself and his Lady Recusants.

*Sir John Gage* Knight and Baronet a Papist Recusant.

*Sir John Guldeford* Knight } their Ladies come not to Church.

*Sir Edward Francis* Knight }

*Sir Garret Kempe* Knight, some of his Children come not to Church.

*Edward Gage* Esq; a Recusant Papist } Commissioner of the Sewers.

*Thomas Middlemore* comes not to Church }

*James Rolls*, *William Scot*, Commissioners of Sewers, both Recusants Papists. *Robert Spiller* comes not to Church.

*Sir Henry Guilford* in Commission for Piracies and for the Sewers: And *John Thatcher* Esq; Commissioner for the Sewers, they are either Persons convicted or justly suspected.

*Sir Richard Sandford* Knight, *Richard Brewthwait* Esq; *Gawen Brewthwait* Esq; their Wives are Recusants.

*Sir William Aubrey* Knight, Justice of Peace, a Recusant.

*Rees Williams* Justice of Peace, his Wife a convict Recusant, and his Children Popishly bred, as is informed.

*Sir John Coney* Knight, a Justice of Peace, and Deputy-Lieutenant, his Wife a Popish Recusant.

*Morgan Voyl* Esq; Justice of Peace, his Wife presented for not coming to Church, but whether she is Popish-Recusant is not known.

*John Warren* Captain of the Trained-Bands, one of his Sons suspected to be Popishly affected.

Wherefore they humbly beseech your Majesty not to suffer your loving Subjects to continue any longer discouraged by the apparent sence of that increase both in Number and Power, which by the Favour and Countenance of such like ill-affected Governours accreth to the Popish Party: but that according to your own wisdom, goodness and Piety (whereof they rest assured) you will be graciously pleased to command that answer of your Majesties to be effectually observed, and the Parties abovenamed and all such others to be put out of such Commissions and Places of Authority wherein they now are in your Majesties Realm of England, contrary to the Acts and Laws of States in that behalf.

The Parliament Dissolved upon the Duke of Buckingham's Account. Another Parliament Summoned.

But the Parliament pressing hard upon the Duke of Buckingham, the 15th. of June, 1626. they were Dissolved before any Answer was given to this Petition; and soon after a Commission Issued to compound with Papists for their Forfeitures.

A Parliament was Summoned to meet the 17th. of March, 1627. and a little before this Parliament Assembled, a Society of Papists were taken in Clerkenwel; divers of them were Jesuits, and the House wherein they were taken was designed to be a Colledge of that Order.

Amongst their Papers was found a Copy of this Letter written to their Father Rector at Braxell, discovering their designs upon this State, and their judgment of the temper thereof, with a conjecture of the success of the ensuing Parliament; which Letter, because it



it contains Matter that justifies the making of the Law that was made against the K. Ch. I. Papists in this Sessions of Parliament, as I find it Printed in *Ruskworth*, f. 474. I have here inserted.

## A Letter from a Jesuit concerning the ensuing PARLIAMENT.

Father Rector,

LET not the damp of astonishment seize upon your Ardent and Zealous Soul, in apprehending the suddain and unexpected calling of a Parliament: We have not opposed but rather furthered it; so that we hope as much in this Parliament as ever we feared any in Queen Elizabeths days.

You must know the Council is engaged to assist the King by way of Prerogative, in Case the Parliament any way should fail. You shall see this Parliament will resemble the Pelican, which takes a pleasure to dig out with her Beak her own Bowels.

The Election of Knights and Burgesses hath been in such confusion of apparent faction, as that which we were wont to procure heretofore with much Art and Industry (when the Spanish Match was in Treaty) now breaks out naturally as a botch or boyl and spewes out its own Rankor and Venom.

You remember how that famous and immortal Statesman the Count of Gondomar fed King James his fancy and Rocked him asleep with the soft sweet sound of Peace, to keep up the Spanish Treaty; likewise we were much bound to some Statesmen of our own Country, for gaining time by procuring the most advantageous Cessation of Arms in the Palatinate and advancing the Honor and integrity of the Spanish Nation, and villifying the Hollanders; remonstrating to King James that the State was most ungrateful both to his Predecessor Queen Elizabeth, and his Sacred Majesty; that the States were more obnoxious then the Turk, and perpetually injured his Majesties Loving Subjects in the East-Indies, and likewise they have usurped from his Majesty the Regality and unvaluable profit of the narrow Seas, in fishing upon the English Coasts, &c.

This great Statesman had but one principal means to further their great and good designs, which was to set on King James that none but the Puritan Faction, which plotted nothing but Anarchy and his Confusion were averse to this most happy Union. We Steered on the same Course, and have made great use of this Anarchical Election, and have prejudicated and anticipated the great one, that none but the Kings Enemies, and his, are chosen of this Parliament, &c.

We have now many Strings to our Bow, and have strongly Fortified our Faction, and have added two Bulwarks more: For when King James lived (you know) he was very violent against Arminianism, and interrupted (with his pestilent Wit and Learning) our strong designs in Holland, and was a great Friend to that Old Rebel and Heretick the Prince of Orange. Now we have planted that Sovereign drug Arminianism, which we hope will purge the Protestants from their Heresie; and it Flourisheth and beareth Fruit in due Season.

The Materials which build up our Bulwark, are the Projectors and Beggars of all Ranks and Qualities, howsoever both these Factions co-operate to destroy the Parliament, and to introduce a new Species and Form of Government, which is Oligarchy.

These serve as direct Mediums and Instruments to our End, which is the Universal Catholic Monarchy. Our Foundation must be Mutation, and Mutation will cause a Relaxation, which will serve as so many violent Diseases, as the Stone, Gout, &c. to the speedy Distraction of our perpetual and insufferable Anguish of Body, which is worse than Death it self.

We proceed now by Council and mature Deliberation, both, and when to work upon the Dukes Jealousie and Revenge, and in this we give the Honor to those which merit it, which are the Church Catholics.

There is another Matter of Consequence, which we take much into our Consideration and Tender care, which is to stave off Puritans, that they hang not in the Dukes Ears, they are impudent subtil People.

And it is to be feared, least they should negotiate a Reconciliation between the Duke and the Parliament at Oxford and Westminster; but now we assure our selves, we have so handled the Matter, that both Duke and Parliament are irreconcilable.

For



For the better prevention of the Puritans, the Arminians have already lockt up the Dukes Ears, and we have those of our own Religion which stand continually at the Dukes Chamber, to see who goes in and out; we cannot be too circumspect and careful, in this Regard.

I cannot chuse but laugh, to see how some of our Coat have accoutred themselves; you would scarce know them if you saw them; and 'tis admirable, how in Speech and Gesture they act the Puritans. The Cambridge Schollars, to their woful Experience, shall see we can act the Puritan a little better than they have done the Jesuites: They have abused our sacred Patron, St. Ignatius in jest, but we will make them smart for it in earnest. I hope you will excuse my merry Digression, for I confess unto you, I am at this time transported with Joy, to see how happily all Instruments and Means, as well great as less, co-operate unto our Purposes.

But to return unto the main Fabrick, our Foundation is Arminianism. The Arminians and Projectors, as it appears in the Premises, affect Mutation, this we second, and enforce by probable Arguments; in the first place, we take into Consideration, the Kings Honour and present Necessity, and we shew how the King may free himself of his Word, as Lewis the Eleventh did, and for his great Splendor and Lustre, he may raise a vast Revenue, and not be beholden to his Subjects, which is by way of Imposition and Excise, then our Church Catholicks proceed to show the Means how to settle this Excise, which must be by a mercenary Army of Horse and Foot. For the Horse, we have made that sure, they shall be Forreigners and Germans, who will eat up the Kings Revenues, and spoil the Country where-ever they come, though they should be well paid; what Havock will they make there, when they get no Pay, or are not duly paid? they will do more Mischief then we hope the Army will do.

We are provident and careful that this mercenary Army, of two thousand Horse, and twenty thousand Foot, shall be taken on and in Pay before the Excise be settled. In forming the Excise, the Country is most likely to rise: If the Mercenary Army subjugate the Country, then the Souldiers and Projectors shall be paid out of the Confiscations; if the Country be too hard for the Souldiers, then they must consequently mutiny, which is equally advantageous unto us; our superlative Design, is to work the Protestants, as well as the Catholicks, to welcome in a Conqueror, and that is by this Means: We hope instantly to dissolve Trades, and hinder the building of Shipping, in devising probable Designs, and putting on the State upon Expeditions, as that of Cadiz was, in taking away the Merchant Ships, so that they may not easily catch and light upon the West-India Fleet, &c.

This produced a Fast, and a Petition from the Parliament to the King, against the Papist; which Petition, and the Kings Answer, are as followeth.

### The Parliaments Petition to the King, and the Kings Answer, all relating to the Papists.

Most Gracious Sovereign,

Rushw. Coll.  
1 pt. f. 516.

**WE** Your most Loyal and Obedient Subjects, the Lords Spiritual and Temporal and Commons in Parliament assembled, having, to our singular Comfort, obtained Your Majesties Pious and Gracious Assent for a publick Fast, to appease the Wrath of Almighty God kindled against us, and to prevent those grievous Judgments which God doth apparently press upon us, do, in all Humility, present unto Your Sacred Majesty, all possible thanks for the same: And because the publick and visible Sins of the Kingdom, are the undoubted Causes of those visible Evils that are fallen upon us, amongst which Sins (as is apparent by the Word of God) Idolatry and Superstition are the most heinous and crying Sins: To the end that we may constantly hope for the Blessing of God to descend upon this our publick Humiliation, by abandoning those Sins which do make a Wall of Separation betwixt God and Us.

1. Article.

**WE** most humbly and ardently beg at the Hands of Your most Sacred Majesty, that Your Majesty will be pleased to give continual Life and Motion to all those Laws that stand in force against Jesuits, Seminary Priests, and all that have taken Orders by Authority of the See of Rome, by exacting a more due and serious Execution



on of the same ; amongst which Number, those that have highly abused Your Majesty's Clemency, by returning into the Kingdom after their Banishment, contrary to Your Highness's express Proclamation ; We humbly desire may be left to the Severity of Your Laws, without admitting of any Mediation or Intercession for them ; and that such of Your Majesties unsound and ill-affected Subjects, as do receive, harbour, or conceal any of their viperous Generation, may, without delay, suffer such Penalties and Punishments, as the Laws justly impose upon them.

*His Majesties ANSWER unto the First  
ARTICLE of this PETITION.*

**T**O the first Point His Majesty answereth, that he will, according to your Desire, give both Live and Motion to the Laws that stand in force against *Jesuits, Seminary Priests*, and all that have taken Orders by Authority of the See of Rome : and to that end, His Majesty will give strict Orders to all His Ministers, for the Discovering and Apprehending of them, and so leave them, being apprehended, to the Tryal of the Law. And in case, after Tryal, there shall be Cause to respite Execution of any of them, yet they shall be committed (according to the Example of the best Times) to the Castle of *Wisbich*, and there be safely kept from exercising their Functions, or spreading their *Superstitious* and Dangerous Doctrine, and the Receivers and Abettors, they shall be left to the Law.

**T**Hat Your Majesty would be pleased to command a surer and streight Watch to be kept in and over Your Majesties Ports and Havens, and to commit the Care and Charge of Searching of Ships, for the Discovery and Apprehension, as well of *Jesuits* and *Seminary Priests*, brought in, as of Children and young Students sent over beyond the Seas, to suck in the Poyson of *Rebellion* and *Superstition*, unto Men of approved Fidelity and Religion ; and such as shall be convicted, to have connived or combined in the bringing in the one, or conveying of the other, that the Laws may pass upon them with speedy Execution.

2. Article

*His Majesties ANSWER to the Second  
ARTICLE.*

**T**O the second Article, His Majesty granteth all that is in this Article ; and to this end, will give order to the Lord Treasurer, Lord Admiral, and Lord Warden of the Cinque Ports, that in their several Places, they be careful to see this Article fully executed, giving strict Charge to all such as have Place and Authority under them, to use all Diligence therein. And His Majesty requireth them, and all other His Officers and Ministers, to have a vigilant Eye upon such as dwell in dangerous Places of Advantage or Opportunity, for receiving or transporting of any such as are here mentioned : And His Majesty will take it for good Service, if any will give Knowledge of any such as have connived or combined, or shall Connive or Combine, as is mentioned in this Article, that Justice may be strictly done upon them.

**T**Hat considering those dreadful Dangers (never to be forgotten) which did involve Your Majesties Sacred Person, and the whole representative Body of Your Majesties Kingdom, plotted and framed by the free and common Access of *Popish* Recusants to the City of London, and to Your Majesties Court ; Your Majesty would be graciously pleased

3. Article



pleased to give speedy Command for the present putting in practise, those Laws that prohibit all *Papish* Recusants to come to the Court, or within ten Miles of the City of London; as also those Laws that confine them to the Distance of five Miles from their dwelling Houses; and that such by-past Licenses, not warranted by Law, as have been granted unto them, for their Repair to the City of London, may be discharged and annulled.

### His Majesties ANSWER to the Third

#### ARTICLE.

TO the third, His Majesty will take order to restrain the Recourse of Recusants to the Court, and also for the other Points of this Article, His Majesty is well pleased that the Laws be duly executed, and that all unlawful Licenses be annulled and discharged.

4. Article.

THAT whereas it is more than probably conceived, that infinite Sums of Money have within this two or three Years last past, been extracted out of the Recusants within the Kingdom, by Colour of Composition, and a small Proportion of the same returned into Your Majesties Coffers, not only to the sudden enriching of private Persons, but to the emboldning of *Romish* Recusants to entertain *Massing Priests* into their private Houses, mimick Rites of their gross *Superstition*, without fear of Controul; amounting (as by their daily Practice and Ostentation we may conceive) to the Nature of a concealed Toleration; Your Majesty would be graciously pleased to entertain this Particular more neerly into your Princely Wisdom and Consideration, and to dissolve this *Mystery of Iniquity*, patched up of colorable Leases, Contracts and Preconveyances, being but Masks on the one part of Fraud, to deceive Your Majesty and States, on the other part, for private Men to accomplish their corrupt Ends.

### His Majesties ANSWER to the Fourth

#### ARTICLE.

TO the fourth Article, His Majesty is most willing to punish for the time past, and prevent for the future, any of the Deceits and Abuses mentioned in this Article, and will account it a good Service in any that will inform himself, his Privy Council, Officers of his Revenue, Judges or learned Council, of any thing that may reveal this *Mystery of Iniquity*; and His Majesty doth strictly command every one of them, to whom such Information shall be brought, that they suffer not the same to dye, but do their utmost Endeavour to effect a clear Discovery, and bring the Offenders to Punishment; and to the intent no concealed Toleration may be effected, His Majesty leaves the Laws to their Course.

5. Article.

THAT as the Persons of Ambassadors from Foreign Princes, and their Houses, be free for the Exercises of their own Religion, so their Houses may not be made free Chappels and Sanctuaries unto Your Majesties Subjects *popishly* affected, to hear *Mass*, and to participate in all other Rites and Ceremonies, of that *Superstition*, to the great Offence of Almighty God, and Scandal of Your Majesties People, loyally and religiously affected: that either the Concourse of Recusants to such Places may be restrained, or at least such a vigilant Watch set upon them, at their return from those Places,



Places, as they may be apprehended and severely proceeded withal, *Ut qui palam in Luce peccant in Luce puniantur.*

## His Majesties ANSWER to the Fifth ARTICLE.

TO the fifth, His Majesty is well pleased, to prohibit and restrain their coming, and Report to the Houses of Ambassadors, and will command a vigilant Watch to be set for their taking and punishing, as is desired.

THAT no place of Authority and Command within any the Counties of this Your Majesty's Kingdom, or any Ships of Your Majesties, or which shall be employed in Your Majesties Service, be committed to *Popish* Recusants, or to Non-communicants, by the Space of a Year past, or to any such Persons, as according to Direction of former Acts of State are justly to be suspected, as the Place and Authority of Lords Lieutenants, Deputy Lieutenants, Justices of the Peace or Captains, or other Officers or Ministers mentioned in the Statute, made in the third Year of the Reign of Your Father of Blessed Memory; and that such as by Connivance have crept into such Places, may, by Your Majesties Royal Command, be discharged of the same. 6. Article.

## His Majesties ANSWER to the Sixth ARTICLE.

TO the Sixth, His Majesty is perswaded, that this Article is already observed with good Care; nevertheless, for the avoiding (as much as may be) all Errors and escapes in that kind; His Majesty will give Charge to the Lord Keeper, that at the next Term, he call unto him all the Judges, and take Information from them of the State of their several Circuits, if any such (as are mentioned in this Article) be in the Commission of the Peace, that due Reformation be made thereof, and will likewise give Order to the Lord Admiral, and such other, to whom it shall appertain, to make diligent Inquiry, and certificate to His Majesty, if any such be in place of Authority and Command in His Ships or Service.

THAT all Your Majesties Judges, Justices and Ministers of Justice, unto whose Care and Trust, Execution (which is the Life of Your Majesties Laws) is committed, may, by Your Majesties Proclamation, not only be commanded to put in speedy Execution, those Laws which stand in force against *Jesuits*, *Seminary Priests* and *Popish* Recusants; but that Your Majesty would be further pleased to command the said Judges and Justices of Assize, to give a true and strict Account of their Proceedings at their Returns out of their Circuits, unto the Lord Keeper, by the Lord Keeper to be presented unto Your Majesty. 7. Article.

## His Majesties ANSWER to the Seventh ARTICLE.

TO the seventh, His Majesty doth fully grant it.

AND



AND for a fair and clear Eradication of all Popery for the future, and for the breeding and nursing up of a Holy Generation, and a peculiar People, sanctified unto the true Worship of Almighty God, that until a Provisional Law be made for the Training and Educating of the Children of Popish Recusants, in the Grounds and Principles of our Holy Religion, which we perceive will be of more Power and Force to unite Your People unto You in fastness of Love, Religion and Loyal Obedience, then all Pecuniary Mulcts and Penalties that can possibly be devised; Your Majesty would be pleased to take it into Your Princely Care and Consideration, these our humble Petitions, proceeding from Hearts and Affections Loyal and Religiously devoted to God and Your Majesties Service, and to the Safety of Your Majesties Sacred Person, we most zealously present to Your Princely Wisdom, craving Your Majesties chearful and gracious Approbation.

### His Majesties ANSWER to the Eighth ARTICLE.

TO the eighth, His Majesty doth well approve it, as a Matter of necessary Consideration, and the Parliament now sitting, he recommendeth to both Houses, the Preparation of a fitting Law to that effect. And His Majesty doth further declare, that the Mildness that hath been used towards those of the Popish Religion, hath been upon Hope, that Foreign Princes thereby might be induced to use Moderation towards their Subjects of the Reformed Religion; but not finding that good Effect which was expected, His Majesty resolveth, unless he shall very speedily see better Fruits, to add a further degree of Severity, to that which in that Petition is desired.

The Parliament, after this, made a Law against the Papists, Intituled, *An Act to restrain the Passing or Sending of any to be Popishly bred beyond the Seas.* The Substance whereof take as followeth:

That,

3 Car. 1. ca.  
2. Keebles  
Stat. f. 1098.  
By this Law  
Papists are  
prohibited sending  
their Children or others  
beyond Seas,  
to be instructed  
in the Popish Religion.

INASMUCH as divers ill affected Persons to the true Religion within this Realm, had sent their Children into Foreign Parts to be bred up in Popery, notwithstanding the Restraint of it by 1 Jac. 1. It was enacted, That that Law should be put in Execution; and further, that if any Person or Persons, being Subjects, should pass over, or go, convey, or send, or cause to be sent or conveyed, any Children, or other Person beyond Seas, to the Intent and Purpose to enter into, or be resident or trained up in any Priory, Abbey, Convent, Popish University, Colledge or School, or Houses of Jesuits, Priests, or in any Private Popish Family, and shall be there, by any Jesuite, Seminary Priest, Friar, Monk, or other Popish Person instructed, persuaded or strengthened in the Popish Religion in any sort to profess the same; or should convey or send, or cause to be conveyed, or sent any sum or other thing towards the maintenance of any already gone or sent under any Pretence of Charity, or otherwise, &c. is disabled to sue, to be Committee of any Ward, or Executor, or Administrator; is not capable of any Legacy or Deed of Gift, or to bear any Office within the Realm; forfeits all his Goods and Chattels, forfeits his Lands and other real Estate for his Life. In case of Conformity, these Penalties are not to be incurred; and in case the Lands have been seized, they shall be restored.

And now I think, I may appeal to the Reader himself, whether there was not ground enough for the making this Law, if there had been nothing more done in this Kings Reign, then the Writing the Letter before mentioned, which makes so full a Discove-



Discovery of a Design they were driving on, of subverting our Religion, and introducing their own. And if it be considered, that there is no Penalty annexed to this Law, that relates to the Loss of Life, Member or Liberty, it cannot be thought severe, after such continued and restless Endeavors of that Party for our Destruction, and bringing us back to our former Bondage, under a foreign Yoke.

And let the Share they had in blowing up the Differences between King Charles I. and his Parliaments, which at last ended in the late unnatural Civil War, and in a Temporary Destruction of our Monarchy be considered; that after Charles the First was beheaded, they attempted the Perverting of his Sons, when in Exile, to the Idolatry and Superstition of the Romish Church: And that they at last prevailed effectually, with one at least, to go over to their Communion; and that it was known to the Parliament in the twenty fifth Year of the Reign of Charles the Second, that he was so reconciled. Let, I say, these things be considered, and it cannot be thought hard that that Law passed the Parliament the Substance of which I have here inserted. It is intitled,

Charles The Second.

*An Act for preventing Dangers which may happen from Popish Recusants.*

Whereby, for preventing Dangers which might happen from Popish Recusants, and quieting the Minds of His Majesties good Subjects, it was enacted, That all and every Person and Persons, as well Peers as Commoners, that should bear any Offices or Places of Trust, or that received any Salary from His Majesty, or any his Predecessors, or were in the Service or Employment of his Highness the Duke of York, being within the City of London, or thirty Miles distant from the same, should take the Oaths of Allegiance and Supremacy in the Court of Chancery or Kings Bench, before the end of Trinity Term then next following, or at the Quarter Sessions for the Place where they should reside, and should likewise receive the Sacrament according to the Usage of the Church of England, at or before the first Day of August 1673. That all Persons who should be admitted in to any Office or Place as aforesaid, after the first Day of Easter Term, to take the said Oaths, either in the said Courts, or in the Quarter Session for the County, where he or they should reside, and receive the Sacrament within three months after their Admission to such Office, &c. And should deliver a Certificate into the Court, where he takes the said Oaths, of the receiving the Sacrament: That whosoever should refuse to take the said Oaths, should be adjudged incapable of any other Office, and if after his Refusal he shall exercise any Office, he shall not prosecute any Suit in Law, Equity, or be Guardian to any Child, or Executor or Administrator of any Person, or be capable of any Deed or Gift, or to bear any Office, and shall forfeit five hundred Pounds to whomsoever will sue for the same in any of His Majesties Courts, where no Protection or Wager of Law should lye. That the Names of all such Persons as should take the said Oaths, be in the Courts of Chancery and Kings Bench, and Quarter Sessions inrolled, with the Time of taking the same, in Rolls for that purpose, and that none should pay above the Sum of twelve Pence to any Officer for their Entry of the taking the said Oaths. That no Person, nor bred up in the Popish Religion by his Parents, should breed up, or suffer his Children to be bred up in the Popish Religion, under Penalty of being disabled from bearing any Office or Places of Trust, and all such Children so brought up and educated, shall be disabled from bearing any such Offices until they be reconciled to the Church of England, take the Oaths of Supremacy and Allegiance, and receive the Sacrament. And that all Persons, taking the said Oaths, shall, at the taking the same, subscribe the Declaration following.

25. Ca. 2. ca.  
2. Papists made  
incapable of  
any Place or  
Office of Profit  
or Trust in the  
Kingdom.

I do declare, that I do believe that there is no Transubstantiation in the Sacrament of the Lords Supper or in the Elements of Bread and Wine, as or after the Consecration thereof by any Person whatsoever: And of this Subscription, a Register to be kept, as of taking the Oaths: this Act not to extend to prejudice the Peerage of the Realm, or take away Creation or Bills of Impole, or any Salary for Life or Years, granted for sufficient Consideration, nor to make void any Estates of Inheritance, nor being Offices, or to make void any Pension granted to any Person instrumental in presenting the King at Worcester, that all Persons refusing to take the Oaths, having Estates of Inheritance, must appoint Deputies to take the said Oaths, and subscribe the said Declaration, that all Peers may take the Oath in Parliament, if the Parliament be sitting within the time for doing thereof. No married Woman, or Person under the Age of eighteen Years, or being beyond the Seas, or found to be



K. Ch. II.

be Non Compos Mentis. Shall, by Virtue of this Act, lose or forfeit his or her Office, (other then such married Women, during the Life of her Husband only) for any Neglect of taking the Oaths, so as the respective Persons within four Months after the Death of the Husband, coming to the Age of eighteen Years, returning into this Kingdom, and becoming of sound Mind, shall take the said Oaths in manner as is thereby appointed, provided that any Person, who by his or her Neglect or Refusal, according to this Act, should lose or forfeit any Office, might be capable, by a new Grant of the said Office, or of any other, and to have and hold the same again, such Person taking the said Oaths, and doing all other things required by this Act, so as such Office be not granted to, and actually enjoyed by some other Person at the time of the re-granting thereof. This Act not to extend to Commission Officers in the Navy, if they subscribe the Declaration. This Act not to extend to prejudice the Earl of Bristol and his Lady in the Pensions granted to them. Likewise not to extend to Constables, Tything-men, Church-Wardens, or other like private inferior Officers.

\* Coleman's  
Tryal, p. 69.

Before this Act of Parliament was made, the Papists were engaged in a most Horrid Plot against the Protestant Religion, and the Parliament having now made this Act, whereby the Papists are excluded from all Places of Profit and Trust; it is not hard to believe that their Malice was thereby greatly heightened, and their Rage very much increased against the Protestants; and their Actings put it beyond doubt that it was so. For this Act passed in the Year 1673. and then it is we find them deeply engaged in contriving our Destruction; and so inhumane were they, that notwithstanding the late King Charles the Second's Kindness to them, yet, unless he would fully comply with them in the butchering his Protestant Subjects, extirpating the Protestant Religion (which they called a \* Pestilent Heresie) and the introducing of the Romish Superstition and Idolatry, he must be taken out of the way, to make room for one that would.

I confess, I have met with very many that have owned the Disbelieving of any such Design, but when I seriously reflect upon the Letters that were produced against Mr. Coleman, and owned by himself to be his; when I consider the Evidence that was given by all the Witnesses that proved the Horrid and Treasonable Popish Plot, that was discovered in 1678. and the Agreement that there is in the Substance of the thing (although there may be some Variations as to Circumstances) when I consider the Witnesses were Strangers to one another, that did so agree in their Testimony, and that the Discovery was so sudden, and the Witnesses came in so quick one after another, after the Discovery, that it is not to be presumed there could be any Subornation; when I consider the Credit they had with the King himself, and with four Parliaments; when I consider the great Attempts notwithstanding, to take the Odium off the Papists, and cast it upon the Protestants; when I consider the unwearied Pains taken by the Papists, and some that are much worse, because they espoused their Cause under a Protestant Vizar, to lay the Murder of Sir Edmund-Bury-Godfrey at the Protestants Door, and to wipe off the Stain thereof from the Papists; when I consider the Methods that were taken in the late King James the Second's his Reign, so exactly pursuant to what was designed, in case Charles the Second had fallen (as was contrived)

\* Either by  
Shooting, Poi-  
son or Stabbing.  
† The Decla-  
ration for Li-  
berty of Con-  
science, Design-  
ed to be pub-  
lished, in case  
the Popish Plot  
had then taken  
effect, you may  
find printed in  
Coleman's  
Tryal, p. 58.

\* the first of which Methods was, by granting a general † Liberty of Conscience, and thereby deluding divers Protestants to serve a Popish Interest, although against their Wills; it is to me matter of Amazement, that there should remain the least doubt of the Truth of that Plot, in the Minds of any that are really Protestants; especially when I consider that there wanted nothing in the late King James's Reign, but a Parliament to take off the Penal Laws and Tests, to bring that Popish Plot to the highest Perfection that the Papists ever designed, and what Endeavors there were to obtain that, is sufficiently known.

To run through the whole Series of that Popish Plot, would be to draw out this Account of the Grounds of making the Penal Laws to a Length beyond what its Design can warrant, which is the publick Good, and therefore as a Confirmation of the Truth of that Plot, and to refresh the Memory of those, who perhaps are willing to forget it, I shall here only insert Coleman's Letters, as you will find them printed in his Tryal, and also Bedloe's Depositions, as they were taken before, and printed by Sir Francis North, then Lord Chief Justice of the Common-Pleas, and afterwards made

Lord



Lord Keeper of the Great Seal of England, for the good Services he had done the *K. Ch. II.*  
Crown. Coleman's Letters are as followeth.

Mr. Coleman's First Letter.

**S**ince Father *St. German* has been so kind to me, as to recommend me to your  
Reverence so advantageously, as to encourage you to accept of my Correspondence; I will own to him, that he has done me a Favour without consulting  
me, greater than I could have been capable of if he had advised with me, because I  
could not then have had the Confidence to have permitted him to ask it on my Be-  
half. And I am so sensible of the Honour you are pleased to do me, that though I  
cannot deserve it, yet to shew at least the Sense I have of it, I will deal as freely and  
openly with you this first time, as if I had had the Honour of your Acquaintance all  
my Life. And shall make no Apology for so doing, but only tell you, that I know  
your Character perfectly well, though I am not so happy as to know your Person;  
and that I have an Opportunity of putting this Letter into the Hands of Father  
*St. German's* Nephew (for whose Integrity and Prudence he has undertaken) without  
any sort of Hazard.

In order then Sir, to the plainness I profess, I will tell you what has formerly pas-  
sed between your Reverences Predecessor, Father *Ferryer* and my self. About three  
Years ago, when the King my Master sent a Troop of Horse Guards into his most  
Christian Majesties Service, under the Command of my Lord *Durast*, he sent with it  
an Officer, called Sir *William Throckmorton*, with whom I had a particular Intimacy,  
and who had then very newly imbraced the Catholic Religion; to him did I con-  
stantly write, and by him address my self to Father *Ferryer*. The first thing of  
great Importance, I presumed to offer him (not to trouble you with lesser Matters,  
or what passed here before, and immediately after the fatal Revolution of the Kings  
Declaration for Liberty of Conscience (to which we owe all our Miseries and Ha-  
zards) was in *July, August* and *September, 1673.* when I constantly inculcated the  
great Danger the Catholic Religion, and his most Christian Majesties Interest would  
be in at our next Sessions of Parliament, which was then to be in *October* follow-  
ing; at which I plainly foresaw, that the King my Master would be forced to  
something in prejudice to his Alliance with *France*. Which I saw so evidently and  
particularly, that we should make Peace with *Holland*; that I urged all the Argu-  
ments I could, which to me were Demonstrations, to convince your Court of that  
Mischief, and pressed all I could to perswade his most Christian Majesty to use his  
utmost Endeavor to prevent that Session of our Parliament, and proposed Expedients  
how to do it: But was answered so often and so positively, that his most Christian  
Majesty was so well assured by his Ambassador here, our Ambassador there, the  
Lord *Arlington*, and even the King himself, that he had no such Apprehensions at all,  
but was fully satisfied to the contrary, and looked upon what I offered as a very  
zealous Mistake; that I was forced to give over arguing, though not believing as I  
did, but confidently appealed to Time and Success to prove who took their Measures  
rightest. When it happened what I foresaw came to pass; the good Father was a  
little surprised to see all the great Men mistaken, and a little one in the Right, and  
was pleased by Sir *William Throckmorton*, to desire the Continuance of my Correspondence, which I was mighty willing to comply with, knowing the Interest of our  
King, and in a more particular manner, of my more immediate Master, the Duke, *James the Se-*  
cond. and his most Christian Majesty, to be so inseparably united, that it was impossible to  
divide them, without destroying them all. Upon this I shewed that our Parliament,  
in the Circumstances it was, managed by the timorous Councils of our Ministers,  
who then governed, would never be useful either to *England, France*, or Catholic  
Religion; but that we should as certainly be forced from our Neutrality at their next  
Meeting, as we had been from our active Alliance with *France* the last Year. That  
a Peace, in the Circumstances we were in, was much more to be desired than the  
Continuance of the War; and that the Dissolution of our Parliament would certain-  
ly procure a Peace; For that the Confederates did more depend upon the Power they  
had in our Parliament than upon any thing else in the World: And were more en-  
cou-



couraged from them to the continuing of the War: So that if they were Dissolved, their measures would be all broken, and they consequently in a manner necessitated to a Peace.

The good Father minding this Discourse somewhat more then the Court of France thought fit to do my former, urg'd it so home to the King, that his Majesty was pleased to give him Orders to signify to his R. H. my Master, that his Majesty was fully satisfied of his R. H's. good intention towards him, that he esteemed both their Interests, but as one and the same: That my Lord *Arlington* and the Parliament were both to be lookt upon as very unuseful to their Interest. That if his R. H. would endeavour to dissolve this Parliament, his most Christian Majesty would assist him with his Power and Purse to have a new one, as should be for their purpose. This and a great many more Expressions of kindness and confidence, *Father Ferryer* was pleased to Communicate to Sir *William Throckmorton*, and commanded them to send them to His Royal Highness, and withal to beg his Royal Highness to propose to his most Christian Majesty, what he thought necessary for his own Concern, and the advantage of Religion, and his Majesty would certainly do all he could to advance both or either of them. This Sir *William Throckmorton* sent to me by an Express, who left *Paris* the Second of June 1674. *Stilo novo*. I no sooner had it, but I Communicated it to his R. H. To which his R. H. commanded me to Answer as I did on the twenty ninth of the same Month, That his R. H. was very sensible of his most Christian Majesties Friendship, and that he would Labour to cultivate it with all the good Offices he was capable of doing for His Majesty: That he was fully convinced that their Interests were both one: That my Lord *Arlington* and the Parliament were not only unuseful, but very dangerous both to *England* and *France*: That therefore it was necessary, that they should do all they could to dissolve it. And that his R. H's. opinion was, that if his most Christian Majesty would write his thoughts freely to the King of *England* upon this Subject, and make the same proffer to his Majesty of his Purse to dissolve this Parliament, which he had made to his R. H. to Call another, he did believe it very possible for him to succeed with the Assistance we should be able to give him here: And that if this Parliament were dissolved, there would be no great difficulty of getting a new one, which would be more useful. The Constitutions of our Parliaments being such, that a new one can never hurt the Crown, nor an old one do it good.

His R. H. being pleased to own these Propositions which were but only General, I thought it reasonable to be more particular, and come closer to the Point, we might go the faster about the work, and come to some issue before the time was too far spent.

I laid this for my Maxim: The dissolving of our Parliament will certainly procure a Peace: Which Proposition was granted by every Body I conversed withal; even by *Monsieur Rouvigny* himself, with whom I took Liberty of conversing so far, but durst not say any thing of the Intelligence I had with *Father Ferryer*. Next, that a Sum of Money certain, would certainly procure a Dissolution; this some doubted; but I am sure I never did: For I knew perfectly well, that the King had frequent Disputes with himself at that time, whether he should dissolve or continue them: And he several times declared that the Arguments were so strong on both sides, that he could not tell to which to incline; but was carried at last to the continuance of them by this one Argument; if I try them once more, they may possibly give me Money; if they do, I have gained my Point: If they do not, I can dissolve them then, and be where I am now: So that I have a possibility at least of getting Money for their continuance, against nothing on the other side. But if we could have turn'd this Argument, and said, Sir, their Dissolution will certainly procure you Money, when you have only a bare possibility of getting any by their continuance, and have shewn how far that bare possibility was from being a Foundation to build any reasonable hope upon, which I am sure His Majesty was sensible of: And how much 300000 Pounds Sterling certain (which was the Sum we propos'd) was better than a bare possibility (without any reason to hope that, that could ever be Compas'd) of having half so much more (which was the most he design'd to ask) upon some vile dishonourable Terms; and a thousand other hazards, which he had great reason to be afraid of; if I say, we had had Power to have argued this, I am most confidently assured, we could have Compas'd it, for Logick in our Court built upon Money, has more powerful Charms than any other sort of reasoning. But



But to secure his most Christian Majesty from any hazard, as to that Point I propos'd, His Majesty should offer that Sum upon that Condition, and if the Condition were not perform'd, the Money should never be due; If it were, and that a Peace would certainly follow thereupon (which no Body doubted) His Majesty would gain his Ends, and save all the vast Expences of the next Campaign, by which he could not hope to better his Condition, or put himself into more advantageous Circumstances of Treaty then he was then in: But might very probably be in a much worse, considering the mighty opposition he was like to meet with, and the uncertain Chances of War. But admitting that His Majesty could by his great Strength and Conduct maintain himself in as good a Condition to Treat the next Year, as he was then in (which was as much as could then reasonably be hoped for) he should have saved by this Proposal, as much as all the Men, he must needs lose, and all the Charges he should be in a Year, would be valued to amount to more than 300000 Pounds Sterling, and so much more in Case his Condition should decay, as it should be worse than it was when this was made: And the Condition of his R. H. and of the Catholick Religion here (which depends very much upon the success of his most Christian Majesty) delivered from a great many frights and real hazards, Father Ferryer seemed to be very sensible of the benefit, all Parties would gain by this Proposal. But yet it was unfortunately delayed by an unhappy and tedious Fit of Sickness, which kept him so long from the King in the *France Comte*, and made him so unable to wait on His Majesty after he did return to *Paris*. But so soon as he could compass it, he was pleas'd to acquaint His Majesty with it, and wrote to the Duke himself; and did me the Honour to write unto me also the 15th. of *Septemb.* 1674. and sent his Letter by Sir *William Throckmorton*, who came Express upon that Errand. In these Letters he gave his R. H. fresh assurance of his most Christian Majesties Friendship, and of his Zeal and readiness to comply with every thing his R. H. had or should think fit to propose in favour of Religion, or the business of Money. And that he commanded *Monsieur Rouvigny* as to the latter, to Treat and deal with his R. H. and to receive and observe his Orders and Directions, but desired that he might not at all be concerned as to the former, but that his R. H. would cause what Proposition he should think fit to be made about Religion to be offered, either to Father Ferryer, or *Monsieur Pomponne*.

These Letters came to us about the middle of *September*, and his R. H. expected daily, when *Monsieur Rouvigny* should speak to him about the Subject of that Letter: But he took no notice at all of any thing till the 29th. of *September*, the evening before the King and the Duke went to *Newmarket* for a Fortnight, and then only said that he had Commands from his Master to give his R. H. the most firm assurance of his Friendship imaginable, or something to that purpose, making his R. H. a general Complement, but made no mention of any particular Orders, relating to Father Ferryer's Letter. The Duke wondering at this Proceeding, and being obliged to stay a good part of *October* at *Newmarket*, and soon after his coming back, hearing of the Death of Father Ferryer, he gave over all other further prosecuting of the former Project. But I believe, I saw *Monsieur Rouvigny's* Policy all along, who was willing to save his Masters Money upon assurance, that we would do all we could to shew off the Parliament for our own sakes, that we would struggle as hard without Money as with it. And we having by that time upon our own Interest, prevail'd to get the Parliament Prorogued to the 13th. of *April*, he thought that Prorogation being to a day so high in the Spring, would put the Confederates so far beyond their measures, as that it might procure a Peace, and be as useful to *France* as a Dissolution. Upon these Reasons, I suppose he went. I had several Discourses with him and did so far open my self, to him as to say, I could wish his Master would give us, leave to offer to our Master 300000 Pounds for the Dissolution of the Parliament. And shew'd him that a Peace would most certainly follow a Dissolution (which he agreed with me in) and that we desired not the Money from his Master to excite our Wills, or to make us more industrious to use our utmost Powers to procure a Dissolution, but to strengthen our Power and Credit with the King, and to render us more capable to succeed with his Majesty, as most certainly we should have done, had we been fortified with such an Argument.

To this purpose, I press'd *Monsieur Pomponne* frequently by Sir *William Throckmorton*, who returned hence again into *France*, on the 10th. of *November*, the Day our Parliament should have met, but was Prorogued. *Monsieur Pomponne* (as I was inform'd



med by Sir William) did seem to approve the thing: But yet had two Objections against it: First, that the Sum propos'd was great, and could be very ill spar'd in the Circumstances his most Christian Majesty was in. To which we answer'd, That if by his Expending that Sum he could procure a Dissolution of our Parliament, and thereby a Peace, which every Body agreed would necessarily follow: His most Christian Majesty would gain his Ends, and save five or ten times a greater Sum, and so be a good Husband by his Expence: And if we did not procure a Dissolution, he should not be at that Expence at all: For that we desired him only to promise upon that Condition, which we were content to be obliged to perform first. The second Objection was, the Duke did not move, nor appear in it himself. To that we answer'd, That he did not indeed to *Monsieur Pomponne*, because he had found so ill an effect of the Negotiation with *Father Ferryer* when it came into *Monsieur Rouigny's* hands: But that he had concern'd himself in it to *Father Ferryer*.

Yet I continued to prosecute and press the Dissolution of the Parliament, detesting all Prorogations as only so much loss of time, and a means of strengthening all those, who depend upon it, in opposition to the Crown, the interest of *France*, and Catholick Religion, in the Opinion they had taken, that our King durst not part with his Parliament, apprehending that another would be much worse. Second, that he could not live long without a Parliament, therefore they must suddenly meet: The longer he kept them off, the greater his necessity would grow, and consequently their Power to make him do what they listed, would increase accordingly. And therefore, if they could but maintain themselves a while, the Day would certainly come in a short time, in which they should be able to work their Wills. Such Discourses as these kept the Confederates, and our Malecontents in heart, and made them weather on the War in spite of all our Prorogations. Therefore I press'd (as I have said) a Dissolution until *February* last, when our Circumstances were so totally Changed, that we were forced to change our Councils too, and be as much for the Parliaments sitting, as we were before against it.

Our Change was thus; before that time the Lord *Arlington* was the only Minister in Credit, who thought himself out of all danger of the Parliament: He having been accused before them, and justified, and therefore was Zealous for their Sitting: And to increase his Reputation with them, and to become a perfect Favourite, he sets himself all he could to Persecute the Catholick Religion and to oppose the *French*. To shew his Zeal against the first, he revived some old dormant Orders, for prohibiting *Roman* Catholicks to appear before the King, and put them in Execution at his first coming into his Office of Lord Chamberlain: And to make sure work with the Second as he thought, prevailed with the King to give him, and the Earl of *Offery* (who married two Sisters of *Myne Heere* *Oake's*) leave to go over into *Holland* with the said *Heere*, to make a Visit as they pretended to their Relations. But indeed and in truth, to propose the Lady *Mary* (eldest Daughter of his Royal H.) as a Match for the Prince of *Orange*; not only without the Consent, but against the good liking of his R. H. Insomuch that the Lord *Arlington's* Creatures were forced to excuse him with a Distinction, that the said Lady was not to be looked upon as the Dukes Daughter, but as the Kings, and a Child of the State was, and so the Dukes Consent not much to be considered in the disposal of her, but only the interest of State. By this he intended to render himself the Darling of Parliament and Protestants, who look'd upon themselves as secured in their Religion by such an Alliance, and design'd further to draw us into a close Conjunction with *Holland* and the Enemies of *France*. The Lord *Arlington* set forth upon this Errand the 10th. of *November*, 1674. and returned not till the 6th. of *January* following. During his absence the Lord Treasurer; Lord Keeper, and the Duke of *Lauderdale*, who were the only Ministers of any considerable Credit with the King, and who all pretended to be entirely united to the Duke, declaimed loudly, and with great violence against the said Lord, and his Actions in *Holland*: And did hope in his absence to have totally supplanted him, and to have routed him out of the Kings favour. And after that, thought they might easily enough have dealt with the Parliament. But none of them had Courage enough to speak against the Parliament, till they could get rid of him: For fear they should not succeed, and that the Parliament would sit in spite of them, and come to hear that they had used their endeavours against it. Which would have been so unpardonable a Crime with our *Parliament*, that no Power could have been able to have saved them from Punishment. But they finding at his Return that they could not prevail against him, by



by such Means and Arts as they had then tryed, resolved upon new Councils: Which were, to out-run him in his own Course: Which accordingly they undertook, and became as fierce Apostles, and as Zealous for Protestant Religion, and against Popery, as ever my Lord *Arlington* had been before them, and in pursuance thereof persuaded the King to issue out those severe Orders, and Proclamations against Catholics, which came out in *February* last: By which they did as much as in them lay to extirpate all Catholics, and Catholick Religion out of the Kingdom. Which Councils were in my poor Opinion so detestable, being levelled (as they must needs be) so directly against the Duke by People which he had advanced, and who had professed so much Duty and Service to him, that we were put upon new thoughts, how to save his *R. H.* now from the deceits and snares of those Men, upon whom we formerly depended. We saw well enough, that their Design was to make themselves as grateful as they could to the Parliament if it must sit; they thinking nothing so acceptable to them, as the Persecution of Popery: And yet they were so obnoxious to the Parliaments displeasure in General, that they would have been glad of any Expedient to have kept it off: Though they durst not engage against it openly themselves; but thought this Device of theirs might serve for their purposes; hoping the Duke would be so alarm'd at their Proceedings, and by his being left by every Body, that he would be much more afraid of the Parliament than ever; and would use his utmost power to prevent its Sitting: Which they doubted not but he would endeavour: And they were ready enough to work underhand too for him (for their own sakes, not his) in order thereunto, but durst not appear openly: And to encourage the Duke the more to endeavour the Dissolution of the Parliament, their Creatures used to say up and down, That this Rigour against the Catholics was in favour of the Duke, and to make a Dissolution of the Parliament more easie (which they knew he coveted) by obviating one great Objection which was commonly made against it, which was, That if the Parliament should be Dissolved, it would be said, That it was done in favour of Popery: Which Clamour they had prevented before hand, by the Severity they had used against it.

As soon as we saw these Tricks put upon us, we plainly saw what Men we had to deal withal, and what we had to trust to, if we were wholly at their mercy: But yet durst not seem so dissatisfied as really we were, but rather magnified the Contrivance as a Device of great Cunning and Skill. All this we did purely, to hold them in a belief, that we would endeavour to dissolve the Parliament, and that they might rely upon his *R. H.* for that which we knew they long'd for, and were afraid they might do some other way, if they discovered, that we were resolved we would not. At length when he saw the Sessions secured, we declared, that we were for the Parliaments meeting, as indeed we were, from the moment we saw our selves handled by all the Kings Ministers at such a Rate, that we had reason to believe they would sacrifice *France*, Religion and his *R. H.* too, to their own Interest, if occasion served: And that they were led to believe, that that was the only way they had to save themselves at that time. For we saw no Expedient fit to stop them in their Career of Persecution, and those other destructive Councils, but the Parliament: Which had set it self a long time to dislike every thing the Ministers had done, and had appeared violently against Popery, whilst the Court seem'd to favour it: And therefore we were Confident, that the Ministers having turned their Faces, the Parliament would do so too, and still be against them: And be as little for Persecution then as they had been for Popery before. This I undertook to manage for the Duke and the King of *France's* interest: And assured *Monsieur Rouvigny* (which I am sure he will testify, if occasion serves) that that Sessions should do neither of them any hurt: For that I was sure I had Power enough to prevent mischief: though I durst not engage for any good they would do: Because I had but very few Assistances to carry on the Work; and wanted those Helps which others had, of making Friends. The *Dutch* and *Spaniards* spared no Pains, or expence of Money to animate as many as they could against *France*: Our Lord Treasurer, Lord Keeper, all the Bishops, and such as called themselves Old Cavaliers (who were all then as one Man) were not less industrious against Popery, and had the Purse at their Girdle too: Which is an excellent Instrument to gain Friends with, and all united against the Duke as Patron both of *France* and Catholick Religion. To deal with all this Force, we had no Money but what came from a few private hands: And those so mean ones too, that I dare venture to say, that I spent more my particular self out of my own Fortune, and upon



Ch II

upon my single Credit, then all the whole Body of Catholicks in England besides: Which was so inconsiderable in Comparison of what our Adversaries commanded, and we verily believe did bestow in making their Party, that it is not worth mentioning. Yet notwithstanding all this we saw, that by the help of the Non-conformists as Presbyterians, Independants, and other Sects (who were as much afraid of Persecution as our selves) and of the Enemies of the Ministers, and particularly of the Treasurer, who by that time had supplanted the Earl of Arlington, and was grown sole Manager of all Affairs himself, we should be very able to prevent what they design'd against us, and so render the Sessions ineffectual to their Ends, though we might not be able to Compass our own: Which were, to make some brisk step in favour of his R. H. to shew the King that his Majesties Affairs in Parliament were not obstructed by reason of any Aversion they had to his R. H. Person, or Apprehensions they had of him or his Religion: But from Faction and Ambition in some, and from a real Dissatisfaction in others, that we have not had such Fruits and good Effects of those great Sums of Money which have been formerly given, as was expected. If we could then have made but one such step, the King would certainly have restored his R. H. to all his Commissions: Upon which he would have been much greater than ever yet he was in his whole Life, or could probably ever have been by any other Course in the World, than what he had taken, of becoming Catholick &c. And we were so very near gaining this Point, that I did humbly beg his R. H. to give me leave to put the Parliament upon making an Address to the King, that His Majesty would be pleased to put the Fleet into the hands of his R. H. as the only Person likely to give a good Account of so important a Charge as that was to the Kingdom, and shewed his R. H. such Reasons to perswade him that we could carry it, that he agreed with me in it, that he believ'd we could. Yet others telling him, how great a damage it would be to him, if he should miss in such an undertaking (which for my part I could not then see, nor do I yet) he was prevail'd upon not to venture, though he was perswaded he could carry it. I did Communicate this Design of mine to Monsieur Rouvigny, who agreed with me, that it would be the greatest advantage imaginable to his Master, to have the Dukes Power and Credit so far advanced as this would certainly do, if we could Compass it: I shew'd him all the Difficulty we were like to meet with, and what Helps we should have: But that we should want one very material one; Money to carry on the Work as we ought: And therefore I do Confess, I did shamefully beg his Masters help, and would willingly have been in everlasting Disgrace with all the World, if I had not with that Assistance of twenty thousand Pounds sterling, (which perhaps is not the tenth part of what was spent on the other side) made it evident to the Duke that he could not have missed it. Monsieur Rouvigny used to tell me, that if he could be sure of succeeding in that Design, his Master would give a very much larger Sum: But that he was not in a Condition to throw away Money upon uncertainties. I answered, That nothing of that Nature could be so infallibly sure, as not to be subject to some Possibilities of failing; but that I durst venture to undertake to make it evident, that there was as great an assurance of succeeding in it as any Husbandman can have of a Crop in Harvest, who sows his Gound in its due Season, and yet it would be counted a very imprudent piece of wariness in any body to scruple the ventring so much seed in its proper time, because it is possible it may be totally lost, and no benefit of it found in Harvest. He that minds the Winds and the Rains at that rate, shall neither Sow nor Reap. I take our Case to be much the same as it was the last Sessions. If we can advance the Dukes Interest one step forward, we shall put him out of the step of Chance for ever: For he makes such a Figure already that cautious Men do not care to Act against him, not always without him, because they do not see that he is much out-power'd by his Enemies. Yet is he not at such a pitch as to be quite out of danger, or free from Opposition. But if he could gain any considerable new addition of Power, all would come over to him as to the only steady Centre of our Government, and no body would contend with him further. Then would Catholics be at rest, and his most Christian Majesty's Interest secured with us in England beyond all Apprehensions whatsoever.

In Order to this, we have two great designs to attempt this next Sessions. First that which we were about before, viz. To put the Parliament upon making it their humble request to the King that the Fleet may be put into his R. H's care. Secondly,



to get an Act for general Liberty of Conscience. If we carry these two, or either of them, we shall in effect, do what we list afterwards: And truly we think we do not undertake these great points very unreasonably, but that we have good Cards for our Game: Not but that we expect great opposition, and have great reason to beg all the Assistance we can possibly get; and therefore if his most Christian Majesty would stand by us a little in this Conjunction and help us with such a Sum as 200000<sup>l</sup> Sterling (which is no very great Matter to Venture upon such an undertaking as this) I would be content to be Sacrificed to the utmost Malice of my Enemies, if I did not succeed. I have proposed this, several times to Monsieur Rouvigny, who seemed always of my Opinion; and has often told me that he has writ into France upon this Subject, and has desired me to do the like. But I know not whether he will be as Zealous in that point as a Catholic would be; because our prevailing in these things would give the greatest blow to the Protestant Religion here, that ever it received since its Birth, which perhaps he would not be very glad to see; especially when he believes there is another way of doing his Masters business well enough without it: Which is by a Dissolution of the Parliament, upon which I know he mightily depends, and concludes that if that comes to be Dissolved, it will be as much as he needs care for, proceeding perhaps upon the same manner of Discourse, which he had this time twelve Months. But with submission to his better Judgment; I do think that our Case is extremely much altered to what it was, in relation to a Dissolution, for then the Body of our Governing Ministers (all but the Earl of Arlington) were intirely United to the Duke and would have govern'd his way, if they had been free from all fear and controul, as they had been if the Parliament had been removed.

But they having since that time engaged in quite different Councils, and Embarkt themselves and Interests upon other Bottoms, having declared themselves against Popery, &c. To dissolve the Parliament simply and without any other step made, will be to leave them to Govern what way they list, which we have reason to suspect, will be to the prejudice of France and the Catholic Religion. And their late Declarations and Actions have Demonstrated to us that they take that for the most popular way for themselves, and likeliest to keep them in absolute Power. Whereas if the Duke should once get above them (after the Tricks they have plaid with him) they are not sure he will totally forget the usage, he has had at their hands. Therefore it imports us now to advance our Interest a little further by some such Project as I have named, before we dissolve the Parliament: Or else perhaps we shall but change Masters (a Parliament for Ministers) and continue still in the same Slavery and Bondage as before. But one such step as I have proposed, being well made, we may safely see them Dissolved, and not fear the Ministers; but shall be Established and stand firm without any Opposition; for every body will then come over to us and worship the Rising Sun.

I have here given you the History of three years, as short as I could, though I am afraid it will seem very long and troublesome to your Reverence, among the multitude of affairs you are concern'd in. I have also shewn you the present State of our Case, which may (by Gods providence and good Conduct) be made of such advantage to Gods Church, that for my part I can scarce believe my self awake, or the thing real, when I think on a Prince in such an Age as we live in, converted to such a degree of Zeal and Piety as not to regard any thing in the World in comparison of God \*Almighties Glory, the Salvation of his own Soul, and the Conversion of our poor Kingdom: Which has been a long time oppress'd and miserably harraist with Heresie and Schism. I doubt not but your Reverence will consider our Case, and take it to heart, and afford us what help you can, both with the King of Heaven, by your Holy Prayers and with his most Christian Majesty, by that great Credit which you most justly have with him. And if ever his Majesties affairs (or your own) can ever want the Service of so inconsiderable a Creature as my self, you shall never find any Body ready to Obey your Commands, or faithfuller in the Execution of them to the best of his power, than

\* The bringing in Idolatry and Superstition, the invading of Liberty and Property, and the enslaving the Nation.

Your Most Humble and

Obedient Servant.



Coleman's Second Letter.

The Copy of the Letter Written to Monsieur Le Chese the French Kings Confessor, which Mr. Coleman confessed, he himself wrote and Counterfeited in the Dukes Name.

Coleman's  
Tryal, p. 66.

THE second of June last past, his most Christian Majesty offered me most generously his Friendship, and the use of his Purse, to the Assistance against the Designs of my Enemies and his, and protested unto me, that his interest, and mine were so closely link'd together, that those that oppose the one should be lookt upon as Enemies to the other; and told me moreover, his Opinion of my Lord Arlington, and the Parliament which is, that he is of Opinion, that neither the one nor the other is in his Interest or mine: And thereupon he desired me to make such propositions as I should think fit in this conjuncture.

All was transacted by the means of Father Ferrier, who made use of Sir William Throgmorton, who is an honest Man, and of truth, who was then at Paris, and hath held correspondence with Coleman, one of my Family, in whom I have great confidence.

I was much satisfied to see his most Christian Majesty altogether of my Opinion, so I made him Answer the 29th. of June, by the same means he made use of to write to me, that is by Coleman, who addrest himself to Father Ferrier (by the Forementioned Knight) and entirely agreed to his most Christian Majesty as well to what had respect to the Union of our Interest, as the unusefulness of my Lord Arlington and the Parliament in order to the Service of the King my Brother, and his most Christian Majesty; and that it was necessary to make use of our joynt and utmost Credits to prevent the success of those evil designs, resolved on by the Lord Arlington and the Parliament, against his most Christian Majesty and my self, which of my side I promise really to perform, of which, since that time, I have given reasonable good proof.

Moreover, I made some proposals, which I thought necessary to bring to pass what we were obliged to undertake, assuring him, that nothing could so firmly establish our Interest with the King my Brother, as that very same offer of the help of his Purse, by which means I had much reason to hope I should be enabled to perswade to this Dissolving of the Parliament, and to make void the designs of my Lord Arlington, who works incessantly to advance the Interest of the Prince of Orange and the Hollanders, and to lessen that of the King your Master, notwithstanding all the protestations he hath made to this hour to render him Service.

But as that which was proposed was at a stand by reason of the sickness of Father Ferrier, so our affairs succeeded not according to our designs, only Father Ferrier wrote to me, the 15th. of the last Month, that he had Communicated those propositions to his most Christian Majesty, and that they had been very well liked of; but as they contained things that had regard to the Catholic Religion, and to the offer and use of his Purse, he gave me to understand he did not desire I should Treat with Monsieur Rouvigny upon the first, but as to the last, and had the same time acquainted me, that Monsieur Rouvigny had order to grant me whatsoever the conjuncture of our affairs did require; and have expected the effects of it to this very hour: But nothing being done in it, and seeing on the other hand that my Lord Arlington and several others endeavoured by a thousand deceits to break the good Intelligence which is between the King my Brother, his most Christian Majesty, and my self, to the end they might deceive us all three, I have thought fit to advertise you of all that is past, and desire of you your assistance and friendship to prevent the Rogueries of those, who have no other design then to betray the concerns of France and England, and who by their pretended Service, are the occasion they succeed not.

As to any thing more I refer you to Sir William Throgmorton and Coleman, whom I have commanded to give an Account of the whole State of our affair, and of the true condition of England, with many others, and principally my Lord Arlington's endeavours to represent to you quite otherwise then it is.



The two first I mentioned to you are firm to my interest, so that you may Treat with them without any apprehension.

R. Ch. II.

Coleman's Third Letter.

S I R,

I Sent your Reverence a tedious long Letter on our 29th of September, to inform you of the Progress of affairs for these two or three last years. I having now again the opportunity of a very sure hand to convey this by, I have sent you a Cipher, because our Parliament now drawing on, I may possibly have occasion to send you something, which you may be willing enough to know, and may be necessary for us that you should, when we may want the conveniency of a Messenger: When any thing occurs of more concern other than which may not be fit to be trusted even to a Cipher alone; I will, to make such a thing more secure write in Limon between the lines of a Letter, which shall have nothing in it visible, but what I care not who sees, but dried by a warm Fire, shall discover what is written; so that if the Letter comes to your hands and upon drying it any thing appears, more then did before, you may be sure no Body has seen it by the way. I will not trouble you with that way of writing, but upon special occasions, and then I will give you a hint to direct you to look for it, by concluding my visible Letter with something of Fire or Burning, by which mark you may please to know, that there is something underneath, and how my Letter is to be used to find it out.

Coleman's  
Tryal, p. 68.

We have beat a mighty Work upon our Hands, no less then the Conversion of three Kingdoms and by that perhaps the utter subduing of a Pestilent Heresie, which has domineered over great part of this Northern World a long time, there were never such hopes of success since the Death of our Queen Mary, as now in our days when God has given us a Prince, who is become, may I say a Miracle, zealous of being the Author and Instrument of so glorious a Work; but the opposition we are sure to meet with, is also alike to be great. So that it imports us to get all the Aid and Assistance we can, for the Harvest is great, and the Labourers but few, that which we rely upon most next to God Almighty's providence, and the favour of my Master the Duke, is the mighty mind of his most Christian Majesty, whose generous Soul inclines him to great undertakings, which being managed by your Reverence's exemplary Piety and Prudence, will certainly make him look upon this as most suitable to himself, and best becoming his Power and thoughts, so that I hope you will pardon me if I be very troublesome to you upon this occasion, from whom I expect the greatest help we can hope for; I must confess, I think his Christian Majesties Temporal Interest is so much attracted to that of his R. H. (which can never be considerable, but upon the growth and advancement of the Catholic Religion) that his Ministers cannot give him better advice, even in a Politic Sence, abstracting from the considerations of the next World, that of our Blessed Lord, to seek first the Kingdom of Heaven, and the Righteousness thereof, that all other things may be added unto him: That I know his most Christian Majesty has more powerful motives suggested to him by his own devotion, and your Reverences zeal for Gods Glory, to engage him to afford us the best help he can in our present circumstances, but we are a little unhappy in this, that we cannot press his Majesty by his present Minister here upon these latter Arguments (which are most strong) but only upon the first, Mr. Rouvigny's sence and ours differing very much upon them, though we agree perfectly upon the rest. And indeed, though he be a very able Man as to his Masters Service in things where Religion is not concerned, yet I believe it were much more happy (considering the posture he is now in) and his temper were of such a sort, that we might deal clearly with him throughout, and not be forced to stop short in a discourse of Consequence, and leave the most material part out, because we know it will shock his particular Opinion; and so perhaps meet with dislike and Opposition, though never so necessary to the main concern. I am afraid we shall find too much reason for this Complaint in this next Session of Parliament, for had we had one here from his most Christian Majesty, who had taken the whole business to Heart, and who would have

re-



K. Ch. II.

represented the State of our Case truly as it is, to his Master ; I do not doubt but his most Christian Majesty would have engaged himself further in the affair then at present I fear he has done, and by his approbation have given such Councils as have been offered to his R. H. by those few *Catholios*, who have access to him, and who are bent to serve him and advance the *Catholic Religion* with all their might, and might have more Credit with his R. H. then I fear they have found, and have assisted them also with his Purse as far as 10000. Crowns or some such Sum (which to him is very inconsiderable but would have been to them of greater use than can be imagined) towards gaining others to help them, or at least not to oppose them. If we had been so happy as to have had his most Christian Majesty with us to this Degree ; I would have answered with my Life for such success this Sessions, as would have put the Interest of the *Catholic Religion*, his R. H. and his most Christian Majesty out of all Danger for the time to come. But wanting those helps of recommending those necessary Councils, which have been given his Royal Highness in such manner as to make him think them worth his accepting, and fit to Govern himself by, and of those advantages which a little Money well managed would have gained us ; I am afraid we shall not be much better at the end of this Sessions then we are now ; I pray God we do not loose ground. By my next, which will be ere long, I shall be able to tell your Reverence more particularly what we are like to expect.

In the mean time I most humbly beg your *Holy Prayers* for all our undertakings, and that you will be pleased to Honour me so far, as to esteem me what I am entirely and without any reserve.

*The Examination of Capt. William Bedlow, taken upon Oath before the Lord Chief Justice North at Bristol, on Monday the 16th of August, 1680.*

Bedlows Examination before the then Lord Chief Justice North taken immediately before his death.

\* According to the old Game the Protestants must bear the odium of the Papists villanies.

THE Examinant saith, that the Duke of York hath been so far engaged in the Plot, as he hath seen by Letters in Cardinal *Barbarines*'s Secretarys Study, that no part hath been proved against any Man already, that hath suffered, but that to the full those Letters have made him guilty of it ; all but what tended to the Kings death. And at Rome I asked Father *Anderson* and Father *Lodge*, two Jesuites, what would the Duke do with his Brother when he was King, and they answered me, they would find a means for that : they would give him no trouble about it. Then I told them ; I believed the Duke loved his Brother so well ; he would suffer no violence to be done to him : they said, no ; if the Duke could be brought to that, as he had been Religiously to every thing else, they might do their work : their other business was ready ; and they might do it presently. But they knew they could not bring him to that point : but they would take care for that themselves, they had not begun with him, to leave him in such scruples as that. But they would set him in his Throne, and there he should reign blindfold three or four days,\* for they had settled some, they should pitch the action upon, should clear their Party. And then he should fly upon them with the Sword of Revenge. And this Examinant doth further add, that the Queen is not, to this Examinants knowledge, nor by any thing that he could ever find out, any way concerned in the Murder of the King : But barely by her Letters consenting and promising to contribute what Money she could, to the introducing the *Catholic Religion*, nay, 'twas a great while and it made her weep, before she could be brought to that.

*The Narrative of Sir Francis North, Lord Chief Justice of the Common-Pleas, at the Council-board.*

AT my first coming to Mr. *Ramsay*'s House, where I was to Lodge at Bristol, upon Monday the 16th day of August, in the Afternoon, being the first day of the Assizes, Sir John Knight came to me, and said, That Mr. *Bedlow* lay dangerously ill of a Fever, and had little hopes of Life, and desired that I would give him a



Visit, that he might impart something of great consequence to me before his death. I told him I would give him a Visit that Night after Supper, about Nine a Clock, if I might be satisfied of two things, first that there was no infection in his distemper; Secondly, that the time would not be inconvenient, but he might discourse to me without prejudice to his Condition. After a little while, two Physicians came to me, and assured me, that there was no danger of Infection, and that the time I had appointed would be most proper; for commonly he took his repose in the Afternoon, and at nine a Clock, he would, in all probability, be refreshed, and fit to Discourse with me: thereupon I declared my resolution of going, and desired the company of the two Sheriffs, and my Brother *Roger North*, and appointed my Marshal *William Jones* to go with me to him. As we were upon the way, Mr. *Croftman*, a Minister in that City, told me Mr. *Bedlow* had desired him to come with me to him. I said it was very well, and I should be glad of his Company, whereupon we went altogether; and being come into the Room where Mr. *Bedlow* lay, I saluted him, and said, I was extream sorry to find him so ill; I came to visit him upon his own desires, I did imagine he had something to impart to me as a Privy Counsellor, and therefore if he thought fit, the Company might withdraw. He told me that needed not yet, for he had much to say, which was proper for the Company to hear, and having saluted the Sheriffs, and Mr. *Croftman*, he discoursed to this purpose.

That he looked upon himself, as a dying man, and found within himself that he could not last long, but must shortly appear before the Lord of Hosts, to give an account of all his actions: and because many Persons had made it their business to baffle and deride the Plot, he did, for the satisfaction of the World, there declare upon the Faith of a dying Man, and as he hoped for Salvation, that *whatever he had testified concerning the Plot, was true*. And that *he had wronged no Man by his Testimony, but had testified rather under that* *over what was truth*. That he had nothing lay upon his Conscience upon that account. That he should appear chearfully before the Lord of Hosts, which he did verily believe he must do in a short time. He said, he had many Witnesses to produce, who would make the Plot as clear as the Sun, and he had other things to discover, which were of great importance to the King and the Country. Hereupon he making some pause, I told him, the Plot was so evidently made out, that no reasonable Man, no Protestant, I was sure, could doubt of the Truth of it, but he ought not to have concealed any thing that concerned the King so highly, he ought to discover his whole knowledge in Matters of Treason, that Traytors may be apprehended and secured; who otherwise may have opportunity to execute their Treasonable Designs. To this he reply'd, that much of that which he had not discovered, was to corroborate his former Testimony; that he had concealed nothing that was necessary to the Kings preservation. That he thought it not fit to accuse more Persons, till he had ended with those whom he had already accused: He expressed great grief and trouble at the Condition of this poor King and Country (so he termed them) whom he knew, at that time, to be in eminent Danger from the Jesuites, who had resolved the Kings death; and he was sure they would spare him no longer then he continued to be kind to them; he said, he was privy to their Consultations at *Salamanca* and *Valadolid*, where they used to observe the favourable Conjunction they had to introduce their Religion into *England*, which consisted in their having a *Head*, he must be set up what ever came of it, and if they let slip that opportunity, they should never have such another, for without a *Head* they could do nothing, he said further, he knew the wickedness and resolution of the *Jesuites*, they stuck at nothing to compass their own ends, they had attempted to poison him, but he had escaped.

When he had finished this Discourse (which lasted about a quarter of an hour) I asked him if the Company should not withdraw, and he said yes, and ordered his Nurses to go out, and only his Wife to stay to tend him. And thereupon all went out saving Mrs. *Bedlow* and my self, and my Servant *William Jones*; then I told him, I thought it convenient, that what he should then say unto me, should be upon Oath; he replied, that it was necessary it should be so; and called for a Bible, but my Servant having brought a Book with him, administered the Oath to him, and laying his Paper upon a Chair by the Bed-side, writ down his Deposition as he delivered it.



*An Historical Account of making the Penal Laws*

When Mr. Bedlow had concluded and said, That was all he had to inform me of, I took the Paper, and read it over distinctly to him and he approved it, and signed it laying the Paper upon a Pillow.

I thought it not fit, considering his Condition to perplex him with Questions, but took his Information as he offered it, and held no discourse with him, when the Company was withdrawn, but concerning the true setting down his Depositions, and when he seemed to be weary, to mind him of taking Cordials, which his Wife reached to him as he desired them.

The next day Mr. Bedlow's Brother came to me, and told me that his Brother desired a Copy of the Deposition he made before me. But I told him, I had well considered it, and could not give him a Copy without the Kings leave. But I would move the King in it, and if he gave leave I would take care to send one to him. And Mr. Bedlow's Brother then told me, That it was his Brothers desire, that I should represent to his Majesty his Condition and that his Sickness was very chargeable, and move his Majesty on his behalf for some supply of Money for his Subsistence, which I promised to do.

This is all that I can recollect of what passed upon this Occasion, and is in substance true, but the very Words, or the Order, I cannot positively remember.

*Francis North.*

*To the Right Honourable Sir Lyonel Jenkins One of His Majesties Principal Secretaries of State.*

*SIR,*

I Always intended to write from hence, to pay my thanks for the whole Circuit which was much more pleasant, by your Favour of holding Correspondence with me. But now I have business of some Importance, for as soon as I came to this City, I received a Message from Mr. Bedlow by Sir John Knight, that he, being very ill, and in the Judgment of Physicians, in great danger of Death, had some business of great moment to impart to me. I knowing the Man, and the Season, would not refuse the pains to give him a Visit: and being satisfied by Physicians that there was no Contagious quality in his Distemper, (though I did not much fear it) I went well accompanied, and in the presence of the Company he declared, that what he had said relating to the Plot was true; and he being a dying Man had nothing lay upon his Conscience upon that score. The greatest trouble he had, was the danger the King (whom he loved above all things) was in from the Papists at this time, who would attempt his Life as soon as ever he should cease to be kind to them: and many other expressions of this kind. After this I asked, if he had any thing to impart to me in private, he told me he had, and having made the Company withdraw, all but my Clark, I took the inclosed Examination upon Oath, you may imagine I was not curious to perplex him with Questions; I took it just as he delivered it, of what signification it will be, I leave to wiser Men, I think my duty is to send it to you, that you may inform his Majesty of the truth. I shall wait upon you at Windsor upon Sunday next, to receive your further Commands.

*Your most humble and*

*faithful Servant,*

*Francis North.*

And



And now the Truth of this is thus confirmed by as strong Testimony as can well be given, the first part of it, premeditated Letters of one of the Conspirators themselves, nay the chiefest, those Letters owned and acknowledged by him to be his own Writing, and he afterwards fairly tried, legally convicted and condemned, and afterwards justly executed for the Treason: The other, *verba morientis*, which have always weight, unless they be delivered Men who, 'tis known, think it meritorious to dye with a falsehood in their Mouth, when 'tis to serve the interest of the Church whereof they profess to dye Members; I say, the Truth of this being thus apparent, there certainly needs no other ground, or reason to be given for the making the 30. Car. 2. ca. 1. for excluding Papists from sitting in either House of Parliament, especially if it be considered, how much they, by being at Court, and sitting in Parliament in the precedent Reigns had interrupted the Protestants in the measures they designed to take for their own preservation; which things were examined into upon the discovery of this Plot, and therefore it appeared absolutely necessary to exclude them both the Court and the Parliament.

The Preamble of the Act and the Substance of the Enacting Part, take as followeth.

**F**OR as much as others good Laws have been made for preventing the increase and danger of Popery in this Kingdom, which have not had the desired effects, by reason of the free access which Popish Recusants have had to his Majesties Court, and by reason of the Liberty, which of late some of the Recusants have had and taken, to sit and vote in Parliament. Wherefore for the safety of his Majesties Royal Person and Government, It was Enacted, that from the first day of December 1678. No Member of the House of Peers or Commons should vote or sit in either House after the Speaker was chose, till every such Peer or Member had first taken the several Oaths of Allegiance and Supremacy, and made, subscribed and credibly repeated the Declaration following.

30. Car. c. 1.  
An Act for excluding the Papists the Parliament.

**I** A.B. do solemnly and sincerely in the presence of God profess, testify and declare, that I do believe that in the Sacrament of the Lords Supper, there is not any Transubstantiation of the Elements of the Bread and Wine, into the Body and Blood of Christ, at or after the Consecration thereof by any Person whatsoever, and that the Invocation or Adoration of the Virgin Mary, or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of Rome, are Superstitious and Idolatrous. And I do solemnly in the presence of God, profess, testify and declare, that I do make this Declaration and every part thereof, in the plain and ordinary sence of the Words read unto me, as they are commonly understood by English Protestants, without any evasion, equivocation or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope, or any other Authority or Person whatsoever, or without any hope of any such dispensation from any Person or Authority whatsoever, or without thinking that I am, or can be, acquitted before God or Man or absolved of this Declaration, or any Part thereof, although the Pope or any other Person or Persons, or Power whatsoever, should dispence with or annul the same, or declare that it was null and void from the beginning.

The same Oaths and Declarations to be made in every succeeding Parliament in full House, that all members of Parliament not swearing and declaring as aforesaid, and Popish Recusants conbait, are forbidden the Kings and Queens presence, That if any Member of the House of Peers or Commons, do any thing contrary to this Act, or shall offend in any of the Cases aforesaid, such Member should be lawfully judged a Popish Recusant Conbait, and should be disabled to hold or receive any Office in any of his Majesties Dominions, and likewise to sit and vote in either House of Parliament, or make his Proxy in the House of Peers, or to prosecute any suit in Law or Equity, or to be Guardian to a Child, or Executor or Administrator to any Person, and incapable of any Legacy, Debt or Gift, and should forfeit for every willful offence against this Act the sum of Five hundred Pounds to be recovered by whomsoever would sue for the same, and to be prosecuted in any of his Majesties Courts, where no Escoin, Protection or Wager of Law should lye, that either House of Parliament may cause any of their Members to swear and subscribe as aforesaid, and upon their sitting without taking the same, they should be adjudged disabled in Law to all intents whatsoever, to sit or vote in the said Houses during that Parliament. That the Places of Members of the







44

ADVERTISEMENT.

January the 21st 1682.

**T**O Whomever will be Pleased by this Good  
win, at the Maiden-head, against  
Dunstan's Church in Fleet-street, The Town  
er, Jurisdiction, and Priviledges of the  
LIAMENT: And the Assignees of the House of  
Commons offered: Occasioned by an Information  
in the King's-Bench, by the Attorney General  
against the Speaker of the House of Commons  
As also a Discomf concerning the Ecclesiastical Ju-  
risdiction in the Realm of England: Occasioned by  
the late Commission in Ecclesiastical Causes: By  
Robert Atkins, Knight of the Honourable Order  
of the Bath, and late one of the Judges of the Court  
of Common-Pleas.